00029994

THE
ASIATIC SOCIETY OF BOMBAY
TOWN HALL, BOMBAY-400 001.

Digitized with financial assistance from the
Government of Maharashtra
on 26 June, 2018

MAP
illustrating the
EARLY HISTORY
of
ENGLAND.
British Statute Miles
IRELAND
I. of MAN
STRATHCLYDE
BERNICIA
NORTHUMBRIA
CUMBRIA
DEIRA
Cleveland
NORTH SEA
WALES
MERCIA
EAST ANGLIA
North Folk
South Folk
EAST SEAXE
LONDON
Kent
Cantware
The Weald
SUTH SEAXE
WEST SEAXE
Sumersetan
Wiltsetan
Dorsetan
Devenscir
CORNWALL
I. of Wight
ENGLISH CHANNEL
Strt. of Dover
FRANCE

LECTURES

ON THE

HISTORY OF ENGLAND.

BY WILLIAM LONGMAN.

VOLUME I.

(LECTURES I.—V.)

FROM THE EARLIEST TIMES TO THE DEATH OF EDWARD II.

29994

WITH MAPS AND ILLUSTRATIONS.

LONDON:
LONGMAN, GREEN, LONGMAN, ROBERTS, & GREEN.
1863.

PREFACE.

I FEEL that some explanation is needed of the reasons which have induced me to step out of my province as a publisher, and encroach on the domains of authors; for, independently of a natural feeling, akin to jealousy, which either author or publisher must feel if one or the other attempt to combine the two vocations, it is clear that they cannot, as a general principle, be united with advantage. I trust, however, that authors will forgive me, and not revenge themselves by turning publishers. There is, nevertheless, some advantage in a publisher dabbling in literature, for it shows him the difficulties with which an author has to contend — the labour which is indispensable to produce a work which may be relied on — and it increases the sympathy which should, and which in these days does, exist between author and publisher.

The circumstances which caused me to undertake the laborious, but most agreeable, task of giving Lectures on the History of England, were these. A Society for the Improvement of the Labouring Classes was formed in 1855 in the small village of Chorleywood in Hertfordshire, the population of which was almost

entirely agricultural. After this Society had been established for a year or two, it was thought desirable that monthly evening Lectures should be delivered during the winter season. These were well attended, and, having given in 1857 a Lecture on Switzerland which seemed to interest my agricultural neighbours, I was requested by the incumbent of the district, the Rev. A. Scrivenor, to deliver a series of Lectures on the History of England. In an easy moment I promised to do so. I little thought, when I consented to this request, that I was undertaking a task which would require no ordinary perseverance to accomplish, and would occupy a lifetime of such leisure as I possess to bring to a conclusion. I thought that a few Lectures, skimming lightly over the surface, touching on the main events only, and telling the workers of the soil what races had ruled over their forefathers, and what had been their general character, would suffice. No one thoroughly understands a subject until he tries to teach it to some one else; and when, for this purpose, I grappled with the History of England, studying it in a very different way to that in which, as a boy, I plodded through the dry abridgments, I became fascinated with the subject. It laid hold of me and would not let me go; and thus it was that I became entangled in authorship.

The history I have given of the way in which I was induced to undertake these Lectures, will explain their deficiencies. I began by giving short accounts of the various reigns, but, as I worked on, I became less and less satisfied with so brief a narrative,

and could not refrain from entering into greater details; and thus, while the sixteen years of King John's reign occupy only five pages, the thirty-five years of that of Edward I. occupy nearly one hundred. I now regret this disparity, for I feel that I have too briefly passed over several most important periods of our history, but I hope I am not now erring in an opposite direction.

The first Lecture was printed nearly as it was delivered; the account of the division of England into shires, parishes, and so on, and of the origin and meaning of the names of places, was considerably added to, but, in the main, the Lecture was printed as delivered. The subsequent Lectures, however, have been carefully studied, and much increased in length, since I read them to my audience. Many matters which would not interest them, would, I thought, interest that more instructed public which I began to hope and believe I was addressing as readers instead of listeners.

The nature of the audience which I originally addressed rendered it necessary that I should endeavour to use plain and simple language, and to express my ideas clearly, for without this they could hardly have understood me, and would certainly not have taken an interest in the Lectures. In these efforts I trust I have succeeded. For the same reason I have tried throughout to give a narrative interest to the history, by relating events, as far as possible, in their natural order of time, and not, as a rule, separating any one series of events from

the general thread of the history. To this system there are, of course, many exceptions; but I have followed it to the best of my ability, believing that the sequence of events, and their dependence on each other, are thereby more clearly seen. When any particular subject, too, has specially interested me, I have followed it out at considerable and perhaps disproportionate length, believing that those things which I myself felt a desire to understand fully, would be equally interesting to others. Thus, the origin of the laws and government of England, and of the courts in which those laws are administered, fascinated me, and induced me to devote more than ordinary time and space to their elucidation.

I have now said enough to explain why I have undertaken these Lectures, and the plan on which they are written; and, in conclusion, I have only to thank my numerous friends, really too numerous to mention by name, for the kind and most valuable assistance they have given me in revising and correcting them.

LONDON: *April* 1863.

CONTENTS

OF

THE FIRST VOLUME.

LECTURE I.

PAGE

BEFORE THE ROMANS - - - - - - - - - - 1
The History of England a glorious subject - - - - - 1
The earliest Visitors to these Islands the Phœnicians - - - 3
The earliest Inhabitants of these Islands called Celts - - - 5
Account of England by Julius Cæsar - - - - - - 6
The Religion of the Ancient Britons called Druidism - - - 7

THE ROMANS IN ENGLAND - - - - - - - - - - 9
The Romans invade England in the Year - - - - - - 9
The Romans build two Great Walls to defend England against Picts and Scots - - - - - - - - - - - 11
The Romans leave England - - - - - - - - - 12
Effects of the Roman Invasion.—Roads made, London built, and Christianity introduced - - - - - - - - - 13

THE SAXONS IN ENGLAND - - - - - - - - - 14
Arrival of the Saxons - - - - - - - - - - 14
The Saxons the Race from which the English have principally sprung - - - - - - - - - - - - 14
Saxon Energy the Foundation of our Greatness - - 14—16
The History of England very uncertain till the Reign of Ethelbert, King of Kent - - - - - - - - - - - 17
Christianity nearly rooted out by the Saxons, re-established by St. Augustine, who converted King Ethelbert - - - 18
Arrival of the Danes - - - - - - - - - - 18

PAGE

ANGLO-SAXON KINGS - - - - - - - - - - 18
The History of England very confused till Egbert became King of England - - - - - - - - - - 18
Ethelwulf, Son of Egbert - - - - - - - - 19
Ethelbald, Ethelbert, Ethelred the First, Alfred } Sons of Ethelwulf - - - - - 19
The Reign of King Alfred—Danes defeated, Laws improved, Education promoted, Division of England into Shires, Parishes, Hundreds, &c. - - - - - - - - - 19—22
Edward the Elder, Son of Alfred - - - - - - 23
Athelstan, Edmund the First, Edred } Sons of Edward the Elder - - - - 23
Edwy, Edgar } Sons of Edmund the First - - - - - 23
Edward the Martyr, *Ethelred the Second, called the Unready } Sons of Edgar - - - - - 23
His second wife was Emma, sister of Richard, the second Duke of Normandy, who afterwards married Canute.
Edmund the Second, called Ironside, Son of *Ethelred the Unready - - - - - - - - - - 23

DANISH KINGS - - - - - - - - - - - 23
Canute - - - - - - - - - - - - 26
Harold the First, called Harefoot, Hardicanute } Sons of Canute - - - - - - 26
The English language derived mainly from the Saxon, thus showing that the English have sprung mainly from the Saxons 27
The number of places whose names are Danish show the wide-spreading of the Danes over the country - - - - 37

SAXON LINE RESTORED - - - - - - - - - 37
Edward the Third, called the Confessor, Son of *Ethelred the Unready, and of Emma of Normandy - - - - - 37
Harold the Second, Son of Earl Godwin, the last of the Anglo-Saxon Kings - - - - - - - - - - 38
His sister was wife of Edward the Confessor.
Harold defeated by William the Conqueror at the Battle of Hastings - - - - - - - - - - 39

PAGE

THE NORMAN KINGS - - - - - - - - - - - 43

WILLIAM THE FIRST, called the Conqueror, Son of Robert Duke of Normandy, and Grandson of Richard Duke of Normandy, whose Sister married *Ethelred the Unready - - - - 43

William creates the New Forest in Hampshire. — England surveyed in his Reign, an Account of which is to be found in Domesday Book.

WILLIAM RUFUS, THE CRUSADES, HENRY THE FIRST } Sons of William the Conqueror - 50—52

STEPHEN, Son of Adela, the Fourth Daughter of William the Conqueror, and of Stephen Count of Blois - - - - - 53

The Barons extort leave to fortify their Castles, and great Oppression of the People in consequence.

PLANTAGENET RACE, OR HOUSE OF ANJOU - - - - - 56

HENRY THE SECOND, Son of Matilda, Daughter of Henry the First, and of Geoffrey Plantagenet Earl of Anjou - - - 56

Quarrels with the Pope. — Murder of Thomas à Becket.

RICHARD THE FIRST, called Cœur de Lion — Cruel Massacre of the Jews. — Third Crusade. — Richard taken Prisoner on his Return and ransomed by the English; JOHN - - - - - - - - } Sons of Henry the Second 62—74

Murders his Nephew, Arthur of Brittany. — Quarrels with the Pope and basely submits. — Consequent Dissatisfaction of the Barons and granting of Magna Carta.

LECTURE II.

Position of England at end of First Lecture - - - - 75

Present Lecture intended as a Summary of the Early Institutions of England - - - - - - - - - - - - 77

THE FEUDAL SYSTEM - - - - - - - - - - 78

Founded on Ownership of Land - - - - - - 79

ORIGIN OF PROPERTY IN LAND - - - - - - - 79

Allodial Lands and Feudal Lands - - - - - - 80

Suited to Ancient Times - - - - - - - - 81

The King's Vassals - - - - - - - - - - 82

Sub-Vassals - - - - - - - - - - - 82

PAGE

TENURE OF LAND - - - - - - - - - - 82
The Oath of Vassalage - - - - - - - - - 85
Investiture - - - - - - - - - - - 86

FEUDAL CUSTOMS MOSTLY SPRANG FROM THE OBLIGATION OF MILITARY SERVICE - - - - - - - - - 86
The Lord's Control over Heirs and Heiresses - - - - 87
Abuses of the Feudal System - - - - - - - - 88
Reliefs, Fines, Aids, and Heriots - - - - - - - 89
Good Effects of the Feudal System - - - - - - - 91

CHIVALRY - - - - - - - - - - - - 91
Investiture of a Knight - - - - - - - - - 92
Tournaments - - - - - - - - - - - 93
Results of Feudalism - - - - - - - - - 94
Further Abuses of Feudalism - - - - - - - - 95
Feudal System established in England by the Normans - - 95

FURTHER REMARKS ON TENURE OF LAND, AND DIVISION OF THE NATION INTO CLASSES - - - - - - - - 98
Manors - - - - - - - - - - - - 98
Commons - - - - - - - - - - - - 98
Thralls, or Villeins - - - - - - - - - - 99
Villeinage - - - - - - - - - - - 100
Ceorls, or Churls - - - - - - - - - - 100
Thanes, or Lords - - - - - - - - - - 101

GOVERNMENT OF THE COUNTRY, MAKING OF LAWS, AND PUTTING LAWS IN FORCE - - - - - - - - - - 101

PARLIAMENT - - - - - - - - - - - 102
The King goes to his Vills, or Farms, accompanied by his Lesser Council - - - - - - - - - - - 102
Greater Council, or Gewitena-gemote - - - - - - 103
Origin of the Houses of Lords and Commons - - - - 104
Members of the Great Council first elected in reign of William the Conqueror - - - - - - - - - - 104
First clear evidence of Representation in reign of Henry the Third, A.D. 1254 - - - - - - - - - - 105
Towns first represented in A.D. 1265 - - - - - - 105
Separation of Parliament into Two Houses - - - - 107

HISTORY OF ENGLISH LAW - - - - - - - - - 108
The earliest Code of Laws is that of Ethelbert, A.D. 600 - - 109

PUTTING THE LAWS IN FORCE - - - - - - - - 110
Shire-motes, or County Courts; Burg-motes, or Town Courts; and Hundred Courts - - - - - - - - - - 110

PAGE

ORIGIN OF THE COURTS OF LAW - - - - - - - - - 112
The King's Court, the origin of all our Courts, divided into other Courts - - - - - - - - - - - 112
The Court of Exchequer - - - - - - - 114
The Court of Common Pleas - - - - - - 115
The Court of King's Bench - - - - - - 115
Contrivances for removing business from one Court to another - 116
Exclusive powers of the Court of King's Bench - - - - 117
Further arrangements for bringing justice home to every man's door - - - - - - - - - - - - 119
Judges going on Circuit - - - - - - - - - 120
Assizes and Gaol Delivery - - - - - - - - 120
Magistrates, or Justices of the Peace - - - - - 122

TRIAL BY JURY - - - - - - - - - - - - 123
Exact date of its origin uncertain - - - - - - 124
Grand Jury and Common Jury - - - - - - - 125
Trial by Ordeal, by Compurgation, and by Battle - - - 127
Trial by Jury fully established by Magna Carta - - - 131

COURT OF CHANCERY - - - - - - - - - - - 132
Tempers the severity of Common Law Courts - - - - 132
Its origin. Appointment of a Secretary by the King, whose office was called the Chancery, and hence the Secretary became Chancellor - - - - - - - - - - - - - 132
The Chancellor became Keeper of the King's Conscience, and Judge of the Court of Chancery - - - - - - - 134
The Great Seal - - - - - - - - - - - 136
Examples of Remedies provided by the Court of Chancery - - 137

ECCLESIASTICAL COURTS - - - - - - - - - - 138
On the Continent the Laity were exhorted to submit themselves to the Clergy - - - - - - - - - - - 139
Clergy joined with the Laity in English Law Courts, but not so on the Continent of Europe - - - - - - - - 140
William the Conqueror separated the Ecclesiastical from Civil jurisdiction, and thus originated the Ecclesiastical Courts in England - - - - - - - - - - - - 140

ADMIRALTY COURT - - - - - - - - - - - 146

CONCLUSION - - - - - - - - - - - - - 147
The Saxons tried to embody their Laws in complete Codes - - 147
Not attempted in modern times, and therefore difficult to study the Law as a whole - - - - - - - - - - 148
Codification of the Criminal Law - - - - - - - 148
Value of a complete Code - - - - - - - - 149

LECTURE III.

HENRY THE THIRD.

PAGE

General Character of Henry and of his Reign - - - - 155
Enlarged Summary of Events at the end of the Reign of King John 156
English Possessions in France, and French Acquisitions in England - - - - - - - - - - - - - - 158
Henry's Position on his Accession, A.D. 1216 - - - - 161
Military Operations of the French and the Barons against the King 163
Siege of Lincoln - - - - - - - - - - - 164
Departure of the French - - - - - - - - - 166
Defeat of the French Fleet - - - - - - - - - 167
Arrangements for the Government of the Kingdom - - - 167
Contests with the Barons begin, by their Refusal to give up the Royal Castles - - - - - - - - - - - 169
History of Fulke de Bréauté - - - - - - - - - 170
History and Origin of Fairs - - - - - - - - - 180
The King begins to want Money - - - - - - - 183
Means resorted to for the Raising of Money - - - - 184
Wars with France - - - - - - - - - - - 187
Fall of Hubert de Burgh - - - - - - - - - 189
Return of Peter des Roches - - - - - - - - 190
King's Marriage, A.D. 1236 - - - - - - - - 192
The Pope's Oppressions of the English Clergy - - - - 193
Simon de Montfort - - - - - - - - - - 198
The King's Contests with the Barons for the Raising of Money, and their Demand for Redress of Grievances - - - 200
Simon de Montfort takes the Lead - - - - - - 204
Government deputed to a Council of State, and "Provisions of Oxford" - - - - - - - - - - - 206
The King tries to recover his Power - - - - - - - 211
Is obliged to yield - - - - - - - - - - 214
Again resists the Barons - - - - - - - - - 215
Unsatisfactory Arbitration of Louis - - - - - - - 216
The Barons prepare for a decisive Struggle - - - - - 217
Defeat of the King's Party at Lewes - - - - - - 219
De Montfort rules the Kingdom - - - - - - - 220
Reaction, and Escape of Prince Edward from the Custody of De Montfort - - - - - - - - - - - - 223
De Montfort collects an Army to oppose Prince Edward - - 224
Is defeated at Evesham - - - - - - - - - - 227
His Character - - - - - - - - - - - - 228
Oppressive Measures of King Henry - - - - - - - 230
Mitigated by the Compact at Kenilworth - - - - - 231
Prince Edward goes to the Holy Land - - - - - - 233

PAGE

DEATH OF THE KING - - - - - - - - - - 233
His Character - - - - - - - - - - - 234
Remarkable Persons in Henry's Reign - - - - - 235
Robin Hood - - - - - - - - - - - 236
Wife and Issue of King Henry the Third - - - - - 246

LECTURE IV.

EDWARD THE FIRST.

INTRODUCTORY REMARKS - - - - - - - - - - 249

PICTURE OF THE STATE OF ENGLAND IN THE THIRTEENTH CENTURY - - - - - - - - - - - - - 251
Edward returns from the Holy Land - - - - - 263
King of Scotland does Homage - - - - - - 265
Edward reforms Abuses - - - - - - - 265
Statutes of Westminster - - - - - - - 266

WARS WITH WALES - - - - - - - - - 268
Edward and Eleanor visit supposed Tomb of King Arthur - 274
The Barons resist Edward's Reformation of their Abuses - - 276
Law of Mortmain - - - - - - - - - 279

EDWARD AGAIN INVADES WALES - - - - - - - 280
Death of Llewellyn - - - - - - - - - 282
The Origin of the Title of Prince of Wales, and History of the Earldom of Chester and Dukedom of Cornwall being conferred on the King's eldest Son - - - - - - 283, 336

BEGINNING OF TROUBLES IN SCOTLAND - - - - - 286
Death of Alexander the Third - - - - - - 286
The Maid of Norway his Successor - - - - - 286
Other Claimants - - - - - - - - - 287
Edward begins to plan Union of Scotland and England - - 287
Treaty between England and Scotland - - - - - 288
Death of the Maid of Norway - - - - - - 289

DEATH OF QUEEN ELEANOR - - - - - - - 290
Meeting of Scotch Nobles at Norham - - - - - 291
Claims of the various Competitors - - - - - - 293
Baliol King of Scotland - - - - - - - - 294

WAR WITH FRANCE - - - - - - - - - 296
Origin of the Quarrel - - - - - - - - 296
Conditions of Peace - - - - - - - - 298
Treachery of Philip - - - - - - - - 299
War resolved on - - - - - - - - - 299
The King adopts illegal means for raising Money - - - 299
Quarrel with the King of Castile - - - - - - 300
DISTURBANCES IN WALES - - - - - - - 300

PAGE

Wars with Scotland - - - - - - - - - 301
Berwick taken - - - - - - - - - - 302
Baliol taken Prisoner - - - - - - - - - 303

Continuation of War with France, and English Affairs arising therefrom - - - - - - - - 304
The Clergy and Laity refuse an Aid - - - - - 304
Nevertheless the King perseveres - - - - - - 305
Quarrel between the King and the Barons - - - - 306

War with Scotland begins again - - - - - - 307
The Scotch resist the Dominion of the English - - - 308
Wallace heads the Revolt - - - - - - - - 309
The Patriots joined by Douglas - - - - - - 309
Bruce first joins the English and then joins the Scotch - - 310
Battle of Stirling Bridge - - - - - - - - 311
Prince Edward summons a Parliament - - - - - 312
Second Invasion of Scotland - - - - - - - 313
Proceedings of Wallace - - - - - - - - 314
Elected Governor of Scotland - - - - - - 315
Battle of Falkirk - - - - - - - - - 316
Wallace resigns - - - - - - - - - 317
Charter of Forests - - - - - - - - - 318
Third and Fourth Invasions of Scotland - - - - - 318
The Pope claims Sovereignty over Scotland - - - - 319
Great Charters confirmed - - - - - - - - 320
Parliament repudiates the Pope's Claims - - - - - 321
Fifth Invasion of Scotland - - - - - - - 321
Sixth Invasion of Scotland - - - - - - - 322
Wallace betrayed, and, to the eternal Disgrace of Edward, executed - - - - - - - - - - 324

English Affairs - - - - - - - - - - 325
Reformation of Abuses - - - - - - - - 325
Commission of Trayle-baston - - - - - - - 325
Piers Gaveston - - - - - - - - - 326
Clement V. absolves the King of his Oath - - - - 326

War with Scotland - - - - - - - - - 326
Scotland again revolts, with Bruce as Leader - - - - 326
Quarrel between Bruce and Comyn - - - - - 327
Comyn murdered - - - - - - - - - 328
Bruce crowned - - - - - - - - - 329
Seventh Invasion of Scotland - - - - - - 330

Ceremony of Knighthood - - - - - - - - 330

Continuation of War with Scotland - - - - - 331
Bruce's romantic Adventures - - - - - - - 331
Edward's Severity - - - - - - - - 331
Bruce again returns to Scotland, and his Successes - - - 332

PAGE
DEATH OF EDWARD - - - - - - - - - 333
WIVES AND CHILDREN OF EDWARD THE FIRST - - - 333
THE KING'S ORDINANCE IN BEHALF OF THE "HAKENEYMEN" - 334
NOTE A. PRINCEDOM OF WALES - - - - - - - 336
B. EARLDOM OF CHESTER - - - - - - 336
C. DUKEDOM OF CORNWALL - - - - - - 337
GENEALOGY OF THE DUKES OF CORNWALL - - - - 338
GENEALOGICAL TABLE OF PLANTAGENET LINE AND OF THE SCOTTISH KINGS - - - - - - - - - - - 341

LECTURE V.

EDWARD THE SECOND.

Character of Edward the Second, and of his Reign - - - 345
THE KING'S AFFECTION FOR GAVESTON - - - - - 347
Dying Commands of Edward the First - - - - - 347
The King disobeys his Father's Commands, and recalls Gaveston 348
Honours heaped on Gaveston, who insults the Barons - - 349
Tournament at Wallingford - - - - - - - 350
RISE AND OVERTHROW OF THE ORDER OF KNIGHTS TEMPLARS - 350
Origin of the Order - - - - - - - - - 351
The Christians driven out of Palestine - - - - - 352
Crimes imputed to the Order - - - - - - - 352
Their Property seized - - - - - - - - - 353
Philip the Fair, the Pope, and Edward the Second - - - 353
Arrest of Templars in England - - - - - - - 354
Death of Jacques de Molay - - - - - - - - 355
EVENTS FROM THE KING'S MARRIAGE UNTIL THE DEATH OF GAVESTON - - - - - - - - - - - 356
Marries Isabella of France - - - - - - - - 356
Gaveston appointed Guardian of the Kingdom - - - 357
The King's Coronation and Oath - - - - - - 357
Liberties derived from Edward the Confessor - - - - 358
Gaveston banished - - - - - - - - - 359
The King's Misgovernment and its Consequences - - - 359
Gaveston returns - - - - - - - - - - 360
The Barons threaten Rebellion, and the King yields - - 361
"Ordainers" appointed - - - - - - - - 361
The King invades Scotland - - - - - - - - 362
Parliaments Courts of Justice and Appeal - - - - 363
Gaveston again banished, but returns - - - - - 364
The Earl of Lancaster heads the Barons - - - - - 366

PAGE
Siege of Scarborough, and death of Gaveston - - - - 367
The King evades the Ordinances - - - - - - - 368
Birth of his eldest Son - - - - - - - - 369
Renewal of Quarrel between the King and the Barons - - 370

War with Scotland - - - - - - - - - 371
Events in Scotland at the beginning of Edward's Reign - - 371
Siege of Stirling - - - - - - - - - - 378
Scotch Weapons - - - - - - - - - - 380
Topography of Country round Stirling - - - - - 381
Single Combat between Bruce and de Boune - - - - 384
Battle of Bannockburn - - - - - - - - - 385
Bruce invades England - - - - - - - - - 386

Domestic History - - - - - - - - - - 387
Distress in England from Failure of Crops - - - - 387
Consequences of Scarcity - - - - - - - - 388

Wars with Scotland - - - - - - - - - 389
Complaints against the King - - - - - - - 389
The new Favourite Despenser - - - - - - 389
The Earl of Lancaster Commander of the English Army - - 390
General Distrust in the King - - - - - - - 391
Negotiations for a Truce with Bruce - - - - - 392
Hollow Reconciliation between the King and Lancaster - - 393
Bruce takes Berwick - - - - - - - - - 393
Bruce excommunicated - - - - - - - - - 394
Formation of Armies - - - - - - - - - 394
Edward lays Siege to Berwick - - - - - - - 396
Invasion of Randolph and Douglas - - - - - 398

Quarrels between the King and the Barons - - - 399
Appointment of Standing Council to advise the King - - 399
The Despensers - - - - - - - - - - 399
The Scots break the Truce - - - - - - - - 399
Fresh Outbreak between the King and the Barons - - - 401
Parliament banishes the Despensers - - - - - 402
Charge against the younger Despenser that he attempted to limit the power of the King - - - - - - - 403
The Barons compel the King to grant them an Indemnity - 404
The Barons make the Queen their Enemy - - - - 404
The Despensers return to England - - - - - 404
Defeat of the Barons and Execution of Lancaster - - - 405
Enormous Wealth of the Despensers - - - - - 406
The King reverses the Sentence against them - - - - 407
Edward invades Scotland, but without Success - - - 407
Truce with Scotland - - - - - - - - - 407

PAGE

THE NEW FAVOURITES AND THEIR FATAL INFLUENCE - - 408
The Despensers prevent the King from doing Homage to the King of France, who seizes his Dominions - - - - 408
Mortimer escapes from Prison - - - - - - - 409
Further Quarrel between England and France - - - 409
The Queen goes to France to settle the Difficulties - - - 410
Her Son follows her - - - - - - - - - 411
Treaty of Marriage between the Prince and Philippa of Hainault 411
The Queen invades England - - - - - - - - 412
The King flees with the Despensers to the West of England - 413
The elder Despenser put to Death, and the King taken Prisoner 413
The younger Despenser put to Death - - - - - 414

THE KING DEPOSED, AND HIS SON MADE KING - - - - 414

THE KING MURDERED - - - - - - - - - 415

WIFE AND ISSUE OF EDWARD THE SECOND - - - - 416

NOTE AS TO PRICES - - - - - - - - - 416

NOTES - - - - - - - - - 151, 247, 343, 421

LIST OF ILLUSTRATIONS.

MAPS.

Map illustrating the early History of England - - *Frontispiece*

Map of France, showing the Possessions of the English in that country* - - - - - - - - - *To face page* 155

Map illustrative of the Tactics by which Prince Edward hemmed in De Montfort in Wales, and thus prepared the Way for his Defeat at Evesham - - - - - - *To face page* 227

Map of Wales showing the ancient Divisions prior to the Time of Edward the First, and the Counties formed by him *To face page* 249

Map of Scotland in the 14th Century - - - „ 345

Plan of the Battle of Bannockburn - - - „ 385

* The Map represents the Political Divisions of France from the accession of Henry the Second (of England) until the accession of Henry the Third. The boundaries of the provinces, however, must not be understood as strictly correct, for Sismondi truly says:—"As the frontiers of the departments do not correspond to the ancient frontiers of the grand fiefs, it is impossible to give an exact valuation of their contents."†

The provinces belonging to England in the reign of Henry the Second were:—

NORMANDY, united to the English Crown at the conquest of England by William in 1066; separated after William's death, when it became the patrimony of Robert "Courthose," William's eldest son; reunited to England, after the Battle of Teuchebray, in the reign of Henry the First (1106), where Robert was taken prisoner; and conquered by Philip Augustus of France, from John, in 1204.

BRETAGNE, taken possession of by Henry the Second in 1165, separated from England at Henry's death in 1189, having been granted by him to his son Geoffrey.

ANJOU, MAINE, and TOURAINE were inherited by Henry the Second from his father in 1151, and POITOU, GUIENNE, SAINTONGE, &c. (the ancient Duchy of Aquitaine), he acquired at his marriage with Eleanor, the heiress of those provinces, in 1152. All these provinces, excepting Gascony and part of Guienne, were conquered from King John by Philip Augustus (chiefly in 1205 and 1206). GASCONY and the portion of GUIENNE still remaining to the English at the accession of Henry the Third, are coloured *dark* red on the map; those provinces formerly under English rule, but since conquered by Philip, are tinted *light* red; the original "Royal Domain" of Philip is tinted green, and his sovereignty (as extended by his conquests) in 1216, is shown by a *green outline.*

† Sismondi, Hist. de France, tom. vi. p. 6, note.

CHROMO-LITHOGRAPH.

Coloured Plate of Tournament - - - - - *To face page* 76

WOODCUTS.

PAGE

Stonehenge - - - - - - - - - - - 7
Abury, or Avebury - - - - - - - - - - 8
British Barrows - - - - - - - - - - 8
Cromlech, or Druidical Tomb - - - - - - - - 9
Anglo-Saxon Architecture—Earl's Barton Church, Northamptonshire - - - - - - - - - - - 17
Coronation of Harold - - - - - - - - - 38
Norman Ship - - - - - - - - - - - 39
Norman Ladies - - - - - - - - - - 42
Enriched Norman Window—St. Cross, Winchester - - - 43
The White Tower, the most ancient Part of the Tower of London 44
Ploughing, Sowing, Mowing, Gleaning, Measuring Corn, and Harvest Supper - - - - - - - - - - - 48
Norman Keep—Newcastle-on-Tyne - - - - - - 55
English Standard at the Battle of Northallerton, A.D. 1138 - - 56
Penance of Henry the Second before Becket's Shrine - - - 60
Tomb of King John, Worcester - - - - - - - - 73
The Arms of the City of Bristol, showing a Warder blowing a Horn on the Top of a Castle - - - - - - - - - 83
The Pusey Horn - - - - - - - - - - - 84
Tournament - - - - - - - - - - - 93
Knights Jousting - - - - - - - - - - - 94
William the First granting Lands in Richmondshire to Alan, Count of Britanny - - - - - - - - - - - 97
Witenagemote - - - - - - - - - - - 102
Parliament of Edward the First* - - - - - - - - 106
The King, with his Privy Council - - - - - - - 113
Ordeal Combat, or Trial by Battle - - - - - - - 128
Great Seal of Edward the Confessor - - - - - - - 136

* "The print is taken from a copy, in the collection of the Earl of Buchan, from an ancient limning, formerly in the College of Arms, London.

"This representation of the House of Peers is curious and interesting. The Archbishops of Canterbury and York are seated somewhat lower than Alexander (King of Scotland), and Llewellyn (Prince of Wales). The two persons behind the latter, are supposed to represent the Pope's ambassadors; he behind Alexander, to bear the deed of homage for the land possessed by that monarch in England. The mitred abbots amount to nineteen, while the bishops present are only eight, the temporal peers twenty. In the midst the Chancellor and Judges appear on the woolsacks."—*Iconographia Scotica*, by John Pinkerton, F.S.A., Perth. 4to. London, 1797.

PAGE

Siege of a Castle - - - - - - - - - - 161
Another - - - - - - - - - - 165
Royal Feast - - - - - - - - - - 169
Wrestling - - - - - - - - - - 174
Siege of a Castle - - - - - - - - - 175
Norman Castle, showing its Plan of Construction - - - 177
Monk Bar Gate, York, with Plan of Construction - - - 178
Shipping - - - - - - - - - - - 188
Baron in Armour - - - - - - - - - 205
Shipping - - - - - - - - - - - 225
Knights Fighting - - - - - - - - - 227
Royal Carriage - - - - - - - - - 253
Litter - - - - - - - - - - - 254
House with Shutters to Windows - - - - - - 258
The Daïs with the High Table and Tapestry - - - - 259
King Edward in Armour when in the Holy Land - - - 263
St. Joseph's Chapel, Glastonbury Abbey - - - - - 274
Statues of Queen Eleanor on the Northampton Cross - - - 290
Wife and Daughter handing Armour to a Knight - - - 329
Two-handed Sword at Hawthornden, said to have belonged to King Robert Bruce - - - - - - - - - - 380
Claymores - - - - - - - - - - 380
Spiked Flail - - - - - - - - - - 380
Lochaber Axes - - - - - - - - - 381
Mourners watching the Bier of Philip the Fourth - - - 400

LECTURES

ON

THE HISTORY OF ENGLAND.

LECTURE FIRST

COMPRISING FROM

THE EARLIEST TIMES TO THE DEATH OF KING JOHN.

Introductory Remarks. — The Britons in the Earliest Times. — Where did the Britons come from? — Manners and Customs of the Ancient Britons. — Their Agriculture and Religion. — Roman Invasion. — The Effects of the Roman Invasion. — Arrival of the Saxons. — Where did the Saxons come from? — Ethelbert, King of Kent. — Invasion of the Danes. — Reign of King Alfred. — The Danish Kings. — The English People and Language spring mainly from the Anglo-Saxon Race. — Division of England into Shires, Parishes, Hundreds, &c. — Edward the Confessor. — WILLIAM THE CONQUEROR — Domesday Book. — WILLIAM RUFUS. — The Crusades. — HENRY THE FIRST. — STEPHEN. — HENRY THE SECOND. — RICHARD THE FIRST. — Massacre of the Jews. — Richard as a Crusader. — King JOHN.

Introductory Remarks.

MY FRIENDS,

I am told that you wish to hear Lectures on History, and above all on English History. I shall, therefore, do my best to relate to you the History of England, from the earliest times till now, in such a way as will interest as well as instruct you. I shall try to avoid loading your minds with events of little importance, but I shall also try not to omit any which you ought to know. To tell everything would be impossible, but I hope to give you such a knowledge of the great events which have happened in England, as will help you to understand what was done by your forefathers. When you know how your forefathers lived, you will, I believe, be

Introductory Remarks.

Introductory Remarks.

more contented with your present lot. I do not wish that you should rest idly contented, without trying or wishing to better yourselves. That is the last thing I should wish, and you will see that your forefathers did not thus act. But when you learn that the comforts we now all of us enjoy every day, were quite unknown even to kings and nobles in old times, you will feel you have much to be thankful for. When you learn that the liberty we now possess was not won without many a fierce struggle, you will be proud of those noble men who gained for us the victory. You will learn, too, that it is only by slow degrees that we have improved; and, therefore, while still struggling for improvement, you will not be impatient because there is no magician's wand to realise in one moment all that you desire.

It is a glorious subject that I have in hand — The History of England, the history of our own country. Who among you will not feel his heart glow in listening to such a theme? Who among you is not proud of being an Englishman? Who among you does not wish to know the history of his forefathers?—the history of those men who have built up an empire on which, it is truly said, the sun never sets? an empire greater and more glorious than any which ever existed; than any which now exists; and which, if we only, each one and every one, strive mightily for that which is right, will (we may fairly hope) last as great and as glorious, or become even greater and more glorious, through ages yet to come.

The Britons in the Earliest Times.

I intend to begin with the earliest times, for I believe the history will be clearer to you if I start from

the beginning. Did I not do so, you would, I think, feel that you never had hold of the thread of the story. I shall therefore tell you who they were from whom we received the earliest accounts of the inhabitants of Britain, where those inhabitants came from, and what sort of people they were.

The Britons 2300 years ago.

The earliest reliable notice of these islands is written by a Greek historian, named Herodotus, who wrote about 2300 years ago, or more than 400 years before the birth of Christ; and the part of Britain which he mentions is Cornwall and the Scilly Islands. He is unable, however, to say much about them; he can tell us but little except of their existence. He says, "Nor do I know anything of the Cassiterides (by which he means Cornwall and the Scilly Islands), from which we get tin." And he adds, "I have never been able, with all my pains, to meet with any one who could tell me, from his own knowledge, that the farther parts of Europe are sea."

From another Greek writer, named Strabo, who lived about 50 years after the birth of Christ, we learn that it was the Phœnicians who traded here for tin. The Phœnicians lived in Tyre and Sidon, and their trade is mentioned in many passages of the Old Testament. The Prophet Isaiah, when foretelling the downfall of Tyre, thus alludes (in chap. xxiii.) to the greatness of its trade:— "The crowning city, whose merchants are princes, whose traffickers are the honourable of the earth." The Prophet Ezekiel especially mentions their trade in tin. In the twenty-seventh chapter it is written, "Tarshish was thy merchant by reason of the multitude of all kind of riches; with silver, iron, tin, and lead, they traded in thy fairs." Strabo tells us

The Phœnicians, or men of Tyre and Sidon.

The Phœnicians come for tin.

it was the Phœnicians who traded here, and he says that the inhabitants "subsist by their cattle, leading for the most part a wandering life, and having metals of tin and lead. These and skins they barter with the merchants for earthenware and salt, and vessels of brass." A later writer describes their mode of getting the tin. He says, "They prepare the tin, and show much skill in working the earth which produces it. This being of a stony nature, and having earthy veins in every direction, they work their way into these veins, and so by means of water separate the fragments."

The Romans follow the Phœnicians.

Well, the Phœnicians traded here for tin, and they were very anxious to keep this trade to themselves. But the Romans followed their ships, and found out where the tin came from. Strabo says:—"Formerly the Phœnicians alone carried on this traffic, concealing the passage from everyone; and when the Romans followed a certain shipmaster, that they also might find the mart, the shipmaster purposely ran his vessel upon a shoal, and leading on those who followed him into the same fatal disaster, he himself escaped on fragments of his vessel." But nevertheless, after repeated efforts, the Romans discovered the passage; and, in the year 55 B.C., Julius Cæsar, the first Roman Emperor, invaded Britain, intending to make it a part of the Roman empire.

Where did the Britons come from?

What do we know about the ancient Britons?

Before I relate the history of the Roman invasion, I must tell you where these earliest inhabitants came from, and how they lived. The part of England visited by the Phœnicians, was, as I have said,

Cornwall and the Scilly Islands, and the inhabitants belonged to the race which we now call Celts. The Celts are believed to have been the earliest inhabitants of the Western parts of Europe. They were probably the original inhabitants of the whole of England, and came here from France and Spain. But when Cæsar came, the eastern and sea-coast generally was inhabited by Belgians, who had crossed over from what is now called Belgium, and from the north-west of France. Julius Cæsar, who wrote an account of his invasion, says:—"The inhabitants of the interior of Britain are said to be the original race; but the sea-coasts are inhabited by Belgians, who had settled there for purposes either of war or plunder." It is probable that these Belgians, in times long before we have any written histories of these islands, had driven the original inhabitants into the interior, into Wales, into Cornwall, and the West of England generally. The Welsh still speak the original language. Not very long ago, Cornishmen spoke a language which was nearly the same; and it is curious that the inhabitants of a part of the sea-coast of France, called Brittany, lying immediately opposite the British shore, still speak a language very like the old Cornish.

Manners and Customs of the Ancient Britons.

Julius Cæsar, who, as I have told you, wrote an account of Britain, gives an interesting description of the manners and appearance of the people, from which you will see that they had made great advances since the time of the Phœnicians. He says:—"The inhabitants of the interior do not sow grain, but live on milk and flesh, and clothe themselves in skins. All

The appearance of the ancient Britons.

the Britons stain themselves with a plant called woad (a kind of cress plant, called in Latin *Isatis*), which produces a blue colour; and this makes them appear more terrible in battle. They wear their hair long, and shave every other part of their body except the head and upper lip."

Chariots and horses.

The Britons had numbers of chariots and horses, and a Roman writer says, "They fight not only on foot, and on horseback, but in chariots drawn by two and four horses. They are armed after the fashion of the Gauls, and have scythes fastened to the axles of their chariots." Julius Cæsar says:—"The mode of fighting from these chariots is peculiar: first, they gallop about in all directions, throwing their javelins, and thus, by the alarm which the horses create, and the noise of the wheels in general, confuse the ranks of their enemies. After which, when they have got in among the troops of cavalry, they leap down from their chariots and fight on foot. By their daily habit of exercise they have acquired such skill, that in steep and precipitous ground they will stop their horses at speed, turn and guide them at will, run along the pole, stand on the yoke, and run back again at full speed into the chariot."

Agriculture of the Ancient Britons.

Agriculture of the Britons.

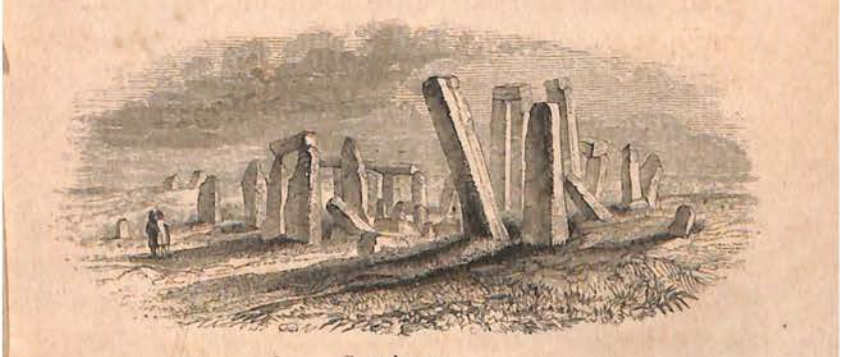
Another writer describes their cultivation of the soil:—"Though the country abounds in milk, there are some among the natives who do not know how to make cheese; and they are neither acquainted with the use of gardens, nor understand other branches of agriculture. In gathering in the produce of their corn-fields, they cut off the stalks of corn, and store

them up in thatched houses, and out of these they pluck the old ears from day to day, and use them to make their food. Their towns are on the hills, on the tops of which they enclose a large space with felled trees, and within this fence they make for themselves huts, composed mostly of reeds and logs, and sheds for their cattle."

Religion of the Ancient Britons.

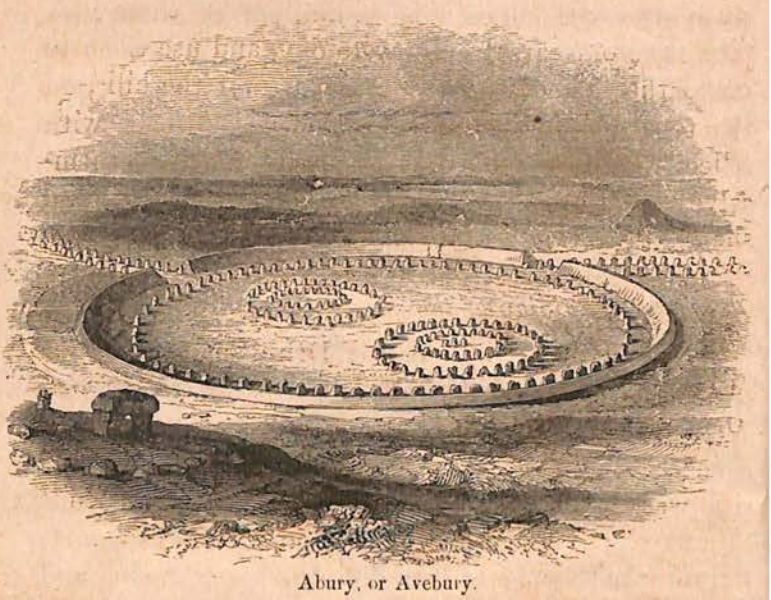
Their religion was called Druidism, and their priests were called Druids, from the Greek word *Drus*, which means an oak. The oak was considered a sacred tree, and the mistletoe which grew on the oak was held in especial reverence. The Druids taught the immortality of the soul, but they also taught the people to worship the sun, moon, and stars, and it was their custom to offer up human sacrifices. Numerous men, women, and children were inclosed in great idols of wicker-work, and then burned. There are many Druidical remains in England. Stonehenge, of which you here see

The Druids.



Stonehenge.

a representation, is one of the most remarkable. Abury, or Avebury, in Wiltshire, is another building



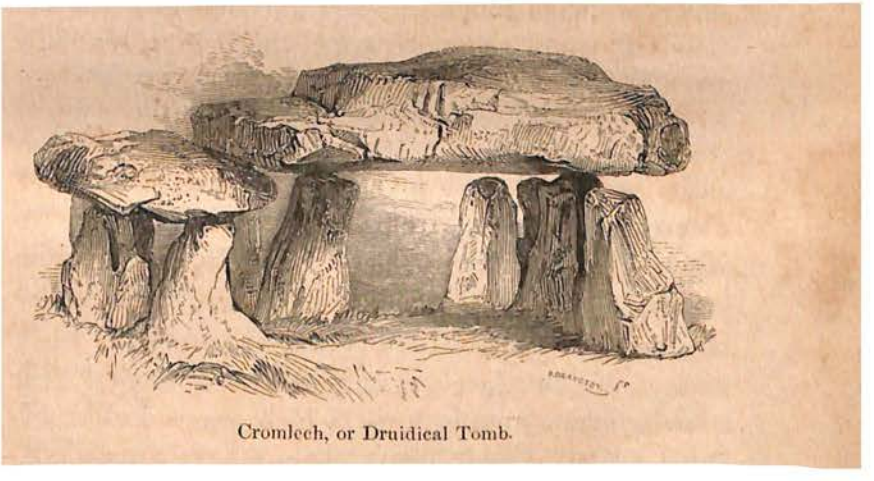
Abury, or Avebury.

of the same kind. The woodcut next presented to you is a view of Avebury as it is supposed to have

British Barrows.

a. Long barrow. *b*. Druid barrow. *c*. Bell-shaped. *d*. Conical. *e*. Twin barrow.

been when first built. It was one of their temples, and the great mounds of earth, called barrows, scattered over the Wiltshire downs, and other parts of England, were their burying-places. England, in those days, must have had a very different appearance from what it now bears. Try and picture to yourselves the whole of the country in this neighbourhood covered with thick forest, Druidical temples on the open spaces—such as Chorleywood Common,—with Druids offering up sacrifices, attended by the inhabitants of the woods, clothed in skins, and painted blue.



Cromlech, or Druidical Tomb.

Roman Invasion.

The Romans try to conquer the Britons.

Now, having brought before your minds a picture of our forefathers in the most ancient times, I will return to the Roman invasion. Julius Cæsar having determined to conquer the country, embarked, in the year 55 B.C., with about 12,000 men, from a part of the French coast between Boulogne and Calais, and reached England somewhere on the Kentish coast,

near where Dover or Deal now stands. But the merchants with whom the Britons traded, had sent over to give them warning. The Britons consequently knew of Cæsar's coming, and prepared to defend themselves, and when Cæsar reached the English coast, he found the cliffs covered with armed men. He therefore sailed for a part of the coast about seven miles further north, where the landing could be more easily managed, and he made an effort to disembark his troops near where Sandwich now stands. The Britons fought bravely, and it cost Cæsar much hard fighting to land his troops. He did not, however, make much progress in conquering the inhabitants; and therefore, when the Britons sent ambassadors to sue for peace, Cæsar was very glad to grant it, and to return to France for the winter. The next year he came back, and landed at the same place as on his first invasion. He marched inland about twelve miles from the coast, and when he reached the river Stour, near where Canterbury now stands, the Britons attacked him, but were driven back to the woods. They retreated into one of their strongholds, a place surrounded by a mound and trench, every approach to which was blocked by felled trees. Cæsar drove them out of this place, but was soon obliged to go back to his ships, which had suffered from a great storm. When he returned to the Britons' stronghold, he found it filled with a much larger force, commanded by Caswallon, or Cassivelaunus, as the Romans called him. In the fighting which followed, sometimes the Romans had the best of it, and sometimes the Britons; but at length the Britons were scattered, and Cæsar crossed the Thames to attack Caswallon in his own territories.

Julius Cæsar lands.

Caswallon retreated to Kent, was defeated, and made peace with the Romans. Cæsar finding that the Britons defended themselves obstinately, and being troubled in his own dominions, was again glad to cross over to France, and return to Rome. He never again invaded England, and for the next hundred years the Romans left this island quiet.

Julius Cæsar leaves England.

About forty-three years after the birth of Christ, the Roman emperor, Claudius, determined to conquer the island, and sent over a large army for this purpose. The Britons were led on by Caradoc, or Caractacus, but were conquered, and at last Caractacus was taken prisoner, put in chains, and sent to Rome. The Romans were so touched with his noble manners and brave demeanour, that they at once struck off his chains.

A.D. 43.

Caractacus.

Notwithstanding all their success, the Romans were very far from having conquered the country, and the Britons were not disposed to allow them to remain quiet; they therefore took the field under the command of Queen Boadicea. A great battle was fought, near where St. Albans now stands; the Britons were defeated, and Queen Boadicea killed herself in despair. But the Britons had other enemies beside the Romans. They were frequently attacked by the inhabitants of Scotland, called Picts and Scots, and to defend themselves from these internal foes, they were glad to avail themselves of the help of the Romans. To protect themselves and the Britons against these enemies, the Romans built two great walls, defended with many forts or castles. One of these was across the North of England, from the Solway Firth to the German Ocean, or from Carlisle to Newcastle; and the other was across a narrow part of Scotland, from

Queen Boadicea.

The Britons attacked by the Picts and Scots.

the Firth of Forth to the Firth of Clyde, or from Edinburgh to Glasgow. Those towns were not then built, but the line of the walls extended to the places where those towns now stand.

A.D. 420. The Romans remained in Britain about 400 years, when at length the Roman empire began to decay, and about the year 420, their troubles at home compelled them to leave England for ever.

The Effects of the Roman Invasion.

What did the Romans do for us? The dominion of the Romans was without doubt productive of much advantage to the Britons; but it is certain that the Britons, although they did paint themselves blue, were not so savage as some writers describe them. They could not have tamed their horses, and made their chariots, without a considerable knowledge of mechanical arts, which places them far above the Hottentots, the Caffres, and others whom we now call savages. Nevertheless, the Britons made great advances during the dominion of the Romans. Very numerous towns were built, among which I may mention that London was founded during their sway; and, indeed, the names of many towns over nearly the whole of England (such as Chester, Lancaster, Leicester, and all ending in Chester, Caster, or Cester, which is derived from the Latin word Castra, meaning tents, a collection of tents, or an encampment), show us how widely and how firmly the Romans had planted themselves in England. In digging up the foundations of houses in London, the remains of Roman pavements and buildings are often found, and Roman weapons have been found in the River Thames. A Roman sword was lately turned up by the plough in a field near

London built.

Hawridge Common, only a few miles from this spot, and there are but few districts where Roman antiquities have not been found. Excellent roads were made from one end of the country to the other, traces of which still remain. One, called Watling Street, reached from Dover to London, and proceeded to the North of England, passing through St. Albans, which was then called Verulamium; and it is from this name that the Earl of Verulam takes his title. I mention this great road especially, because you will take an interest in it, from its connection with St. Albans.

Watling Street goes through St. Albans.

A very important event occurred during the stay of the Romans, viz. the conversion of the Britons to Christianity. It is uncertain by whom Christianity was introduced, and even the precise time is unknown, but it is certain that, about the year 300 A.D., Christianity was firmly established in Britain. About that time British bishops attended a council in France; and a few years previously, St. Alban, from whom St. Albans derives its name, suffered martyrdom as a Christian. During the sway of the Saxons, of which I shall soon have to speak, Christianity was nearly extinguished in the land, but the inhabitants of Britain were reconverted by St. Augustine, about the year A.D. 600, as I shall presently relate to you more fully.

Christianity introduced, A.D. 300.

I cannot enumerate to you all the advantages we derived from the Romans; but I must tell you that we derived also some disadvantages from their stay in England; for with greater civilisation came greater luxury, and the Britons were less brave and less able to resist their enemies when the Romans left them, than when they came.

Arrival of the Saxons.

The Saxons come over to England. A D. 429.

Another famous race now appeared, and began to ravage the coasts,—a race which is the foundation-stone of our greatness—a race whose descendants have thriven, while the children of other races have decayed. I allude to the Saxons. They came as pirates, and they ravaged the land as robbers; but they were bold freemen, they are our ancestors, and it is to them that we owe the energy, the perseverance, and the unconquerable determination that distinguish the English people. Where are now the Spaniards, who once ruled a large part of the Old World, and who discovered and ruled over a large part of the New? Sunk and degenerate, and all their greatness gone. What is the state of that gallant nation the French? They, too, are sunk. Notwithstanding, or perhaps I should say, as a necessary consequence of the horrible scenes of wild revolution through which they have passed, they have, for the present at least, lost all the liberty they once possessed. What has been their success in peopling the earth? When the French have planted their foot on foreign soils, whether in America, in India, or in "Afric's torrid zone," never have they been able to found one flourishing colony. These are the descendants of the Celts. But what is the history of the Anglo-Saxons? They have colonies in every clime; they have descendants in every quarter of the globe; and, thank God! they have preserved their freedom as vigorous as in the days of their old Saxon forefathers.

The true old Saxon spirit is so well expressed in a poem by Mr. Kingsley, called an "Ode to the North-East Wind," that I must read it to you:—

ODE TO THE NORTH-EAST WIND.

Welcome, wild North-easter!
Shame it is to see
Odes to every zephyr;
Ne'er a verse to thee.
Welcome, black North-easter!
O'er the German foam;
O'er the Danish moorlands,
From thy frozen home.
Tired we are of summer,
Tired of gaudy glare,
Showers soft and steaming,
Hot and breathless air.
Tired of listless dreaming,
Through the lazy day:
Jovial wind of winter
Turn us out to play!
Sweep the golden reed-beds;
Crisp the lazy dyke;
Hunger into madness
Every plunging pike.
Fill the lake with wild fowl;
Fill the marsh with snipe!
While on dreary moorlands
Lonely curlew pipe.
Through the black fir-forest
Thunder harsh and dry,
Shattering down the snow-flakes
Off the curdled sky.
Hark! The brave North-easter!
Breast-high lies the scent,
On by holt and headland,
Over heath and bent.
Chime, ye dappled darlings,
Through the sleet and snow.
Who can over-ride you?
Let the horses go!
Chime, ye dappled darlings,
Down the roaring blast;
You shall see a fox die
Ere an hour be past.
Go! and rest to-morrow,
Hunting in your dreams,
While our skates are ringing
O'er the frozen streams.
Let the luscious South-wind
Breathe in lovers' sighs,
While the lazy gallants
Bask in ladies' eyes.
What does he but soften
Heart alike and pen?
'Tis the hard grey weather
Breeds hard English men.
What's the soft South-wester?
'Tis the ladies' breeze,
Bringing home their trueloves
Out of all the seas:
But the black North-easter,
Through the snow-storm hurled,
Drives our English hearts of oak
Seaward round the world.
Come, as came our fathers,
Heralded by thee,
Conquering from the eastward,
Lords by land and sea.
Come; and strong within us
Stir the Vikings' blood;
Bracing brain and sinew;
Blow, thou wind of God!

These lines seem to me to breathe the very soul of the old Saxon energy. Whether it is in exploring the Arctic Regions of eternal ice, or toiling under the burning sun of Africa,—whether it is in braving the

heat of India, or in climbing the snowy Alps,—the Saxon seems to take delight in danger and in difficulty. Whatever calls forth his energy, that seems to the Saxon a source of happiness; and the energy called forth by our varying climate, and by our cold north-easters, seems to me to be well described in the noble lines I have quoted.

Where did the Saxons come from?

The Saxons came from Denmark.

It was from the north-western parts of Germany and the frontiers of Denmark, and more especially from Sleswick, Holstein, and the north-western half of Hanover that these invaders came. They called themselves Angles, but by the Britons and Romans they were called Saxons. From the Angles, England derives its name of Angla-land, or England.

South Seaxe, or Sussex.

West Seaxe, or Wessex.

East Seaxe, or Essex.

Some of the Saxons established themselves in Surrey and Sussex, and formed the kingdom of South Seaxe, or the South Saxons; others in Hampshire, Wiltshire, Dorsetshire, and Devonshire, and formed the kingdom of West Seaxe, or the West Saxons; and others, in Middlesex and Essex, formed the kingdom of East Seaxe, or the East Saxons.

The North-folk, or Norfolk.

The South-folk, or Suffolk.

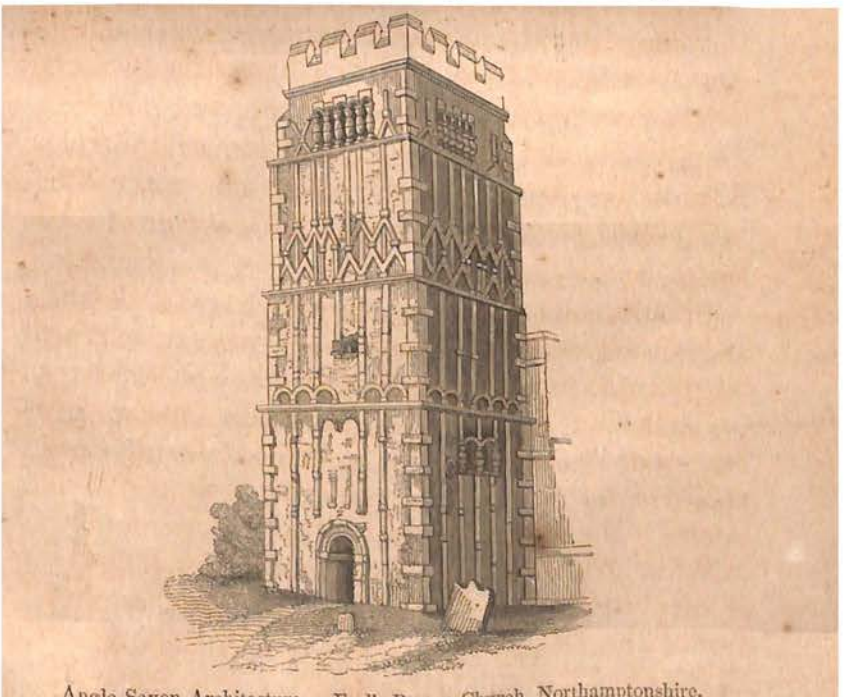
Others established themselves in Norfolk, Suffolk, and Cambridge, and formed the kingdom of East Anglia, which was divided into the North-folk, or people living in the North of Anglia, from whence the name Norfolk comes, and the South-folk, or people of the South, from whom the name of Suffolk comes. The settlers in the midland counties, Leicestershire, Warwickshire, &c., formed the kingdom of Mercia; and to the north of the Humber they formed the kingdoms of Deira and Bernicia, afterwards called Northumberland.

The invaders of Kent were called Jutes, between whom and the Angles there was probably a considerable difference, though both belonged to the same race. The Jutes came from the northern parts of Denmark, now called Jutland.

These Saxons at first helped the Britons against the Picts and Scots, but they soon became their masters, and settled themselves in the land. The races which have sprung from the mixture of these Angles, or Saxons, with the original inhabitants of these islands, are called Anglo-Saxons.

Ethelbert, King of Kent.

The history of the Anglo-Saxons is evidently so much mixed up with fable, that, until the reign of Ethelbert, A.D. 560.



Anglo-Saxon Architecture — Earl's Barton Church, Northamptonshire.

Ethelbert, King of Kent, there is but little that can be relied on. The Saxons had then been here about 150 years, and, being Pagans, they had done their best to root Christianity out of the land. But at that time St. Augustine came to England. He was sent over by Pope Gregory the Great, who had been struck by the beauty of some Britons sent to Rome as slaves. They came from that part of the country which was settled by the Angles. When the Pope heard they were called Angles, and that they were not Christians, he said they ought to be Angels not Angles, and in the year 597 he sent over St Augustine to convert them. King Ethelbert received the missionaries kindly, and was converted to Christianity. Edwin, King of Northumberland, who had married King Ethelbert's daughter, Ethelburga, soon followed his example, and thus Christianity was again established in the land.

Christianity firmly re-established.

The history of England for the next 200 years is a confused record of battles between the rulers of the various little kingdoms into which England was divided, and which were called by the general name of the Heptarchy, or Seven Kingdoms. But about the year 827, Egbert, King of Wessex, having mastered the other kingdoms, made himself King of England, which was then for the first time so called. The other kingdoms still existed, it is true, but from this time they were all subordinate to the King of England.

Invasion of the Danes.

The Danes invade England. A. D. 787.

About this time there came another fierce race from the North, and ravaged the coasts as pirates. These were the Danes. According to the Saxon

chronicle, they made their first appearance on the coast of Dorsetshire in the year 787, but they began to be more formidable enemies in Egbert's reign. The Danes were races of people inhabiting the coasts of Denmark, Sweden, and Norway. They were consequently accustomed to the sea, so much so that they were called the Sea-kings, and they were continually engaged in piratical expeditions. In Egbert's reign they landed in the Isle of Sheppey, at the mouth of the Thames, plundered it, and then returned to their ships. During the reign of Egbert's son, Ethelwulf, and his grandsons Ethelbald, Ethelbert, Ethelred the First, and Alfred, the Danes ravaged the whole kingdom.

In the year 870 they invaded East Anglia, and took up their winter quarters at Thetford. "In that winter, Edmund, King of East Anglia, fought against them; and the Danes got the victory, and slew the king, and subdued all the land, and destroyed all the minsters they came to. The names of the chiefs who slew the king were Ingwair and Ubba. At that same time they came to Medeshamstede (Peterborough), and burned and beat it down; slew abbot and monks, and all that they found there; and that place, which before was full rich, they reduced to nothing." King Edmund was buried at the place where his body was found, since called Bury St. Edmund's; and many churches still exist dedicated to St. Edmund, king, and martyr.

Origin of Bury St. Edmunds.

In the year 871 they were in possession of Reading. The old Anglo-Saxon chronicler says: "This year the army came to Reading in Wessex; and three days after this two of their earls rode forth. Then Ethelwulf, the ealdorman, met them at Engle-

field, and there fought against them, and got the victory. About three days after this, King Ethelred and Alfred his brother led a large force to Reading, and fought against the army, and there was great slaughter made on either hand." A few days afterwards the Danes were defeated at Ascesdun, or Ash-tree-hill. It is not known exactly where this hill is, but it is supposed to be near Wantage, and that the great White Horse cut in the chalk on the side of the hill is a commemoration of this battle. A White Horse is traditionally believed to have been the standard borne by Hengist and Horsa, the supposed first Saxon invaders, and is still the banner of the men of Kent. It is certain that this White Horse has existed for a very long time; for in the time of Henry the First, between 700 and 800 years ago, the valley on the side of which the horse is cut was called the Vale of the White Horse. This White Horse has from time to time been cleaned of the grass, and this is called the Scouring of the White Horse, after which games and all sorts of merry-makings always take place. Latterly there have been very few of these scourings; the last that took place was in 1857, the one next before it was in 1843.

The Battle of Ashtree-hill.

The White Horse.

Reign of King Alfred.

A. D. 871 to A. D. 901.

When Alfred came to the throne, the Danes were in possession of nearly the whole of England except Somersetshire, Devonshire, and Cornwall. But Alfred was not the man to allow his country to be overrun by these fierce Northmen without a life and death struggle to overcome them. He was one of the most remarkable monarchs who ever reigned over England. He was not only a brave

King Alfred, A. D. 871.

warrior, he was also a wise legislator. He improved the laws of England, but, like all wise men, he made no uncalled-for changes. He kept what was good; and what needed improvement, that he made better. Thus, at the end of his laws, he says: "Then I, King Alfred, collected these things, and I ordered them to be written. And many things which my predecessors had held, and pleased me, I retained; and many which displeased me, I rejected, by the advice of my wise men, and commanded to be observed otherwise. But I was unwilling to put in much of my own, because we know not how far they may please posterity. But what I found existing in the days of King Ina, my kinsman, or of Offa, the King of the Mercians, or of Æthelbryght (Ethelbert), who was the first baptized king in the nation of the Angles, whatever of these appeared to me more equitable, I collected, and rejected the rest. And I, Alfred, King of the West Saxons, showed these things to all my wise men, and they said, 'Let them be observed.'" These were the words of a wise man.

Laws of King Alfred.

King Alfred greatly improved the education of his people, and he caused many books to be translated from the Latin into the Anglo-Saxon, which was the language spoken by the English in those days. Slavery was common in England at that time, and the labourers were nearly all slaves. King Alfred did his best to put down this slavery, but he did not succeed; and it was many years before the English labourer became free, and was able to claim the payment of a fair day's wages for a fair day's work.

The labourers were slaves in those days.

Soon after Alfred came to the throne, he fought a great battle with the Danes at Wilton, in Wiltshire, and defeated them. They took refuge in London,

King Alfred's contests with the Danes.

where they wintered. Fresh tribes of Danes now came over. "Wave after wave of these invaders incessantly lashed the British shore. Armies traversed the country from the Thames to the Tweed, abiding in one place only till they had consumed its resources. The Northumbrians, says an old chronicler, became their harrowers and ploughers. The spirit of the West Saxons was at length worn out. The Danes, breaking through the Saxon lines of defence at Chippenham, overran the whole country, driving many into exile beyond the sea, and subduing the rest to their will. "All," says the chronicler, "but Alfred the King." He, unconquered, taking with him a few noble Saxons, established himself in the centre of a marsh, or morass, surrounded by bogs and forests, in a spot, in Somersetshire, still called the Isle of Athelney. There he remained for a time, seemingly forgotten, as well as deserted. He concealed himself on one occasion in the hut of a keeper of swine, and while the swineherd was out looking after his swine, Alfred was left to watch some cakes which were baking by the fire. The King had something else to think of beside looking after the cakes, and he let them burn. When the swineherd's wife came in she was angry; she did not know that the man who looked like a poor peasant, and whom she had charged to watch her cakes, was Alfred King of England, and she scolded him for his neglect.

King Alfred hides in the Isle of Athelney.

King Alfred in the swineherd's hut.

All this while King Alfred was thinking about his afflicted country, and how he should deliver it from its oppressors; and in this his noble character showed itself. He was never beaten down by ill luck, but, like all men of noble minds, the greater his troubles, the greater were his efforts to overcome them.

King Alfred's noble character.

"A noble soul is like a ship at sea,
That rides at anchor when the ocean's calm;
But when it rages and the wind blows high,
She cuts her way with skill and majesty."

King Alfred gets into the Danish camp.

So says an old poet, and so it was with Alfred. He was always watching the Danes, and trying to find out their weakness. Once he disguised himself as a harper, and so got into the Danish camp. He found the Danes thought he was conquered, and that therefore they were eating and drinking and living a careless life of wild revelry. So Alfred issued from his hiding place, and his people flocked to his standard. Suddenly he fell upon the Danes, defeated them, and forced them to beg for peace. Guthrum was their leader, and one of the conditions of peace on which Alfred insisted was, that Guthrum should become a Christian. To this Guthrum agreed, and he remained a faithful friend of King Alfred till he died. England now remained quiet for the remainder of Alfred's life, and he was able, therefore, to give himself up entirely to the improvement of his country and his country's laws. He died in the year 901, leaving his throne to his son.

King Alfred's death, A. D. 901.

The Danes ravage England.

The Danes still occupied a great part of England, and during the reigns of Alfred's successors fresh swarms kept coming over. For the next hundred years, during the reigns of Alfred's son Edward the Elder, of his grandsons Athelstan, Edmund the First, and Edred, of Edwy and Edgar sons of Edmund the First, of Edward the Martyr and Ethelred the Unready sons of Edgar, and of Edmund Ironside son

of Ethelred the Unready, the history is little more than a record of contests with the Danes.

The Danes become the terror of the country.

For about three centuries the Danes were the terror of the country. They generally anchored their ships at the mouths of rivers, or lay under the islands on the coasts. Thence they sailed up the rivers into the interior of the country, where they often mounted on horseback and rode with wonderful speed from one place to another. Their progress was marked by the burning of churches and convents, castles and towns; and great multitudes of people were either killed or dragged away into slavery.

Not even the remote districts of Wales were free from these marauders. It is true that it was difficult for the Danes to force an entrance on the land side, and, in order to do so by sea, it was necessary to make a long and dangerous voyage round the long peninsula formed by Cornwall and Devonshire. But yet the Danes seem to have known Wales well, for they always called it Bretland, or the land of the Britons, to distinguish it from England.

Dane-gelt.

In the reign of Ethelred a tax called Dane-gelt was imposed, for the purpose of paying the Danes money to leave the country; but, as a matter of course, the Danes took the money but did not leave the country.

Ravages of the Danes.

In the old chronicles we constantly meet with such records as the following: — "A. D. 991. This year Ipswich was ravaged. And in that year it was decreed that tribute, for the first time, should be given to the Danish men, on account of the terror which they caused to the sea coast; that was at first ten thousand pounds. This counsel first advised Archbishop Siric."—"A. D. 993. The Lincolnshire and Northumbrian coasts ravaged; Bamborough

taken by storm."—"A. D. 994. Anlaf and Sweyn from Norway attack London, but are repulsed, Sept. 8. They ravage Kent and the south coast; and at last they took to themselves horses, and rode as far as they would, doing unspeakable evil."—"A. D. 1006. Then became the dread of the army so great, that no man could think or discover how they could be driven out of the land, or this land maintained against them; for they had every shire in Wessex sadly marked, by burning and by plundering. Then the King began earnestly with his Witan (or wise men) to consider what might seem most advisable to them all, so that this land might be saved before it was entirely destroyed. Then the King and his Witan decreed for the behalf of the whole nation, though it was hateful to them all, that they must needs pay tribute to the army. Then the King sent to the army, and directed it to be made known to them that he would that there should be a truce between them, and that tribute should be paid, and food given them. And then all that they accepted, and then they were victualled from throughout the English nation."

The Danish Kings.

A. D. 1017 to A. D. 1071.

Ethelred flies to Normandy and Sweyn crowned king of England.

At length Sweyn made himself master of England, and, Ethelred having fled into Normandy, was crowned king of England. But, although Sweyn thus became king, it is very clear that the English did not give up the struggle; and that they had allowed Sweyn to be crowned, rather because they had not sufficient confidence in Ethelred to support him heartily, than because they were beaten. For they sent over to Ethelred, and "declared that no lord were dearer to them than their

natural lord, if he would rule them rightlier than he had done before. Then sent the King his son Edward hither with his messengers, and ordered them to greet all his people; and said that he would be to them a loving lord, and amend all those things which they all abhorred, and each of those things should be forgiven which had been done or said to him, on condition that they all, with one consent, would be obedient to him without deceit. And then they established free friendship, by word and by pledge, on either half, and declared every Danish king an outlaw from England for ever. Then, during Lent, King Ethelred came home to his own people, and he was gladly received by them all."

Ethelred called back from Normandy.

On his arrival he attacked the Danes, and compelled Canute, the son of Sweyn, to retire to his ships. But Canute soon subdued Wessex, and then passed into Mercia. Ethelred gathered together a force to oppose them; but fearing treachery he retired to London, and his troops dispersed. Canute next made himself master of Northumbria, and then returned to Wessex, and prepared to attack London. But at this time Ethelred died, and was succeeded by his eldest son, Edmund Ironside.

After many fierce contests with Canute, Edmund found himself obliged to divide his kingdom with him, after which he soon died. Canute now became King of England, and secured his throne by marrying Emma, the widow of Ethelred. There were only four Danish kings of England, viz: Sweyn, Canute, and his two sons, Harold, called Harefoot from his swiftness, and his brother Hardicanute. Canute seems to have governed England well. He improved the laws, he restored order and tranquillity to the

kingdom, and he endeavoured to put an end to the ancient enmities between the Danes and Anglo-Saxons. His successors, Harold Harefoot and Hardicanute, greatly oppressed the Anglo-Saxons.

The English People and Language spring mainly from the Anglo-Saxon Race.

The English people spring mainly from the Anglo-Saxons.

The downfall of the Anglo-Saxon race, as Kings of England, began with the crowning of Sweyn. But, though the Anglo-Saxons did not henceforth reign over England, except for a short period, yet we know, from the number of Anglo-Saxon words in our language, as well as from other reasons, that the Saxons had so completely settled themselves over all the country, and mixed so completely with the ancient inhabitants that, as I have before said, the Anglo-Saxons must be considered as the race from which we, mainly, have sprung. We English are a mixed race. There were first, as I have told you, the Celts, then the Belgians or Gauls, then the Romans, then the Saxons, then the Danes, and last of all, as you will soon hear, the Normans. But although we are thus a mixed race, we know, as I have before said, from our language, that the Saxons mixed with us more than any other races. They were, as an eloquent writer * says, "The founders of our laws and liberties, whose language we speak, in whose homes we dwell, and in whose establishments and institutions we justly glory."

Many English words come from the Anglo-Saxons.

In illustration of the derivation of our language from the Anglo-Saxon, I may mention, that out of the sixty-nine words which make up the Lord's Prayer,

* Sir James Mackintosh.

all are Anglo-Saxon but five. The greater force of the Anglo-Saxon is also manifest, if we compare two sentences. If we use English words derived from Norman-French or Latin, we say, "Felicity attends virtue;" but if we use good old Anglo-Saxon, we say, "Well being comes from well doing." The difference between the Anglo-Saxon and the Norman or French is in some instances curious. The Anglo-Saxons were a little rough and homely; the Normans polished, civilised, and acquainted with the arts of life. Ox is an Anglo-Saxon word, but when the ox is cooked he becomes beef, from *bœuf*, an ox, a French word used by the Normans. Sheep is Anglo-Saxon, but the roasted sheep is mutton, from the French word *mouton*, a sheep. The calf is an Anglo-Saxon beast, but the Norman turns him into veal, from the French word *veau*, a calf. The pig and his snout are Anglo-Saxon, but, if you make him into pork (from the French word *porc*), he at once becomes fit for the table of a Norman baron.

The Anglo-Saxon language has great force.

It would be easy to multiply these instances, but I have said enough to show you that you are every day talking Anglo-Saxon when you fancy you are talking English.

Division of England into Shires, Parishes, Hundreds, &c.

The division of England into shires (or as we now call them, counties), into hides, tithings, hundreds, parishes, and manors, has been attributed to King Alfred, but it probably existed at an earlier period. The country was certainly so divided in the time of the Anglo-Saxons. In the Life of King Alfred, by Asser, many of the present counties are mentioned by name, and in the laws of King Edgar, Alfred's

great-grandson, parishes are mentioned; and, indeed, as the word Parish is derived from a Latin word *parochia*, which originally came from the Greek, it is likely that the word, and the division of the land expressed by the word, were introduced with Christianity during the time of the Romans. The word County was not used in Anglo-Saxon times, as it is a French word introduced by the Normans, which they applied to the divisions formerly called shires. It is difficult to trace the origin of these divisions, or of their boundaries, with minute accuracy; but still, much has been found out, and I can tell you enough to give you some ideas on the subject, and to arouse your curiosity.

Division of England into shires, &c.

When the country was first peopled by settlers from other lands, a family took possession of and cultivated a tract of land, the boundaries of which must originally have been very uncertain. As the family increased, the tract most likely was increased too. But in those early times there was constant fighting going on, and the successful leader of a band of armed men naturally took possession of the lands occupied by those he conquered. Thus certain portions of land became, and remained, the property of certain men and of their descendants, who were named thanes or lords.

Origin of the ownership of landed property.

Now from this we will first try to trace the origin of Parishes. When Christianity began to spread itself, the lords built churches on their lands. Every man was obliged to pay tithes for the support of a church, and the lords, in order to secure Divine Service being performed in these churches, obliged their tenants to pay their tithes to the church on their land, and the tract of land thus apportioned became a parish. It sometimes happened that the lord had

Origin of Parishes.

outlying portions of land, separate from the rest of his property, which he charged with like payments. This accounts for parts of parishes lying sometimes, even now, within the boundary of another parish.*

Origin of Shires.

The origin of Counties or shires is supposed to have been something of this kind. The earliest divisions of land of which we have any mention were called Marks. Land, in the earliest times, was held sometimes by many men in common, or by several householders, and land thus held was called a Mark or March. Trees of peculiar size and beauty, and carved with figures of birds and beasts, sometimes served as boundaries. Thus we read of a spot called "the Five Oaks," of an oak called "the Marked Oak," and at Addlestone, near Chertsey, is an ancient and most venerable oak, called the "Crouch or Cross Oak," which is believed to have been a boundary of Windsor Forest. Sometimes the boundaries were striking natural features; a hill, a brook, a marsh, a rock, or the artificial mound or burial place of an ancient warrior, warned the intruder to keep off dangerous ground, or taught the herdsman how far he might lead his flocks. In water or marshy land poles were set up, which it was as impious to remove as it would have been to cut down or burn a mark-tree in a forest.†

Divisions of Lands called Marks.

The men or families living within these Marks were called Markmen, and were united together for mutual defence, and for their own government. In some cases several of these Marks probably united together and formed a Shire. It is of course difficult, at this distance of time, and with so little authentic history, to find out with certainty whether this was

* Blackstone. † Kemble.

the origin of some of the shires; but, if it is so, the origin of the boundary lines of the counties is to some extent accounted for.

Hides, tithings, and hundreds.

The land was also divided into hides, tithings, and hundreds. A Hide contained about 120 acres, and supported a free family. Ten such free families constituted a Tithing, and ten or twelve such tithings constituted a Hundred. A certain number of these hundreds may have united together to form a Shire, or the shires may have been divided into hundreds, tithings, and hides. Yorkshire was once divided into three divisions called trithings, which have been since changed into ridings. In Sussex these divisions were, and are, still called "Rapes," as the Rape of Bramber, &c., from the Saxon word *hreipp*, a rope, because the country was divided by ropes drawn across the land. This mode of dividing the land, along with the name Rape, is now found in no other place but Iceland, a Norse colony. This has led learned men to believe that some of the Northmen (or Norse) settled in Sussex. Lewes is a Norse name, Hlodhus.

Origin of the word Shire.

I may here mention that the word Shire is derived from a Saxon word, *scyran*, to cut or divide, because a shire was a division of the land; and that Sheriff means the Shire-reeve, or judge of the county, as Borough-reeve means the judge of the borough or town.

Tithings and hundreds were instituted to assist in the administration of justice.

The ten families dwelling together in a tithing were sureties or free pledges to the king for the good behaviour of each other; and if any offence was committed in their district they were bound to have the offender forthcoming. One of the principal inha-

Tithing-man, or Head-borough.

bitants of the tithing was annually appointed to preside over the rest, and was called the tithing-man, or head-borough. If the tithing could not produce an offender who had fled, the head-borough was to take two of the most respectable members of the tithing in which the offence was committed, and nine from the three nearest tithings, and these twelve (the head-borough being reckoned among them) were to clear the tithing of being parties to the escape of the criminal. If they could not do this, the goods of the offender were answerable for the compensation fixed for the offence, and if these were not sufficient, then the tithing at large had to pay. Even now, in case of damage to property by riot, the owners are entitled to compensation from the hundred.

In some parts of England there are no shires.

It is a curious matter for inquiry why some counties were called Shires, and why others were not so called. As yet, learned men have not been able to explain this, but still it is interesting to observe how the shires are distributed. In the first place, in the south-east and east of England, there are no shires; there are Norfolk, Suffolk, Essex, Middlesex, Kent, Surrey, and Sussex.

In other parts of England all are shires.

In the middle of England, or the old kingdom of Mercia; all the counties are shires; there are Leicestershire, Nottinghamshire, Staffordshire, and so on. Again in the south, or ancient kingdom of Wessex, they are all shires; there are Somersetshire, Dorsetshire, Hampshire, Wiltshire, Hertfordshire, Berkshire, &c.

Cornwall meant Cornish Wales, and was so called because the inhabitants spoke the same language as the Welsh. In Wales all are shires except Anglesey, or English isle.

In the north of England there are very few shires. The counties are principally lands; there are Northumberland, Cumberland, Westmoreland; and these are the only *lands* in England except Rutland and Cleveland, a district of Yorkshire. Durham is the only county in the north which is not a land or a shire. The other two northern counties are shires, viz. Lancashire and Yorkshire. In Yorkshire were formerly three small shires, viz. Hallamshire, Blackburnshire, and Richmondshire, and one land, viz. Cleveland; and in Northumberland was formerly a small shire called Hexhamshire.

In other parts all are *Lands*.

In Scotland there are only three counties which are not shires, and of these Caithness and Sutherland are both Norwegian. This is why the latter, although the most northern county in Scotland, is called South-, or Suther-, land. It was south of Norway. In Ireland there is only one shire, Downshire.

The shires took their name in most cases from towns, which were built before the country was divided into shires. Thus we know that York was built before the time of the Romans, before shires were heard of, and must have given its name to Yorkshire. In like manner Leicester gave the name to Leicestershire, Hertford to Hertfordshire, and so on. This rule applies to the whole of the midland counties, forming, as I have mentioned, the old kingdom of Mercia. Shropshire at first seems to be an exception; but Shrewsbury, the capital town, was anciently spelt Scrobbesbury, from which Shropshire (perhaps originally Scrobbesburyshire) was probably derived.

The shires took their names from towns already built.

In Wessex this rule does not apply; but the counties seem to have been named after the tribes settled there, for we have Dorset and Somerset,

Divisions of Wessex derived from the setan, or settlers.

derived from *setan*, a settler, and Wiltshire was originally Wiltsætan.

Berkshire, formerly called Bearrucscir, is said to be derived from Bare-oak, because in that county meetings were held at a bare or pollard oak. Hampshire was originally Hamtunshire, from Hamtun, now Southampton. Devonshire was part of the ancient kingdom of Damnonia.

Norfolk and Suffolk were the ancient kingdom of East Anglia divided into the North-folk and South-folk. Essex and Middlesex were parts of the kingdom of East Seaxe. Kent was the old kingdom of the Cantwara, and Canterbury was the borough or town of the Cantwara. Sussex was South Seaxe; Surrey was formerly Suthric, or Suthrige, which meant the southern people, or people south of the Thames.

In the north the counties took their names from divisions of the land; thus, Northumberland was a part of the old kingdom of Northumbria, or land north of the Humber, and Cumberland was the land of the Cumbrians.

Importance of knowing the origin of the English race.

If any apology were needed for thus bringing before you an account of the origin of these ancient divisions of our island, the following extract from Dean Trench's Lectures on the Study of Words would be quite sufficient. He says: "Of all the thousands who are aware that the Angles and Saxons established themselves in this island, and that we are in the main descended from them, it would be curious to know how many have realised to themselves that this 'England' means 'Angle-land,' or that in the names of 'Essex,' 'Sussex,' and 'Middlesex,' we preserve a record to this day of East Saxons, South Saxons, and Middle Saxons, who occupied those several portions of the land. I can-

not but believe that these Angles and Saxons, about whom our pupils may be reading, will be to them more like actual men of flesh and blood, who indeed trod this same soil that we are treading now, when we can thus point to the traces of them surviving to the present day, which they have left behind them, and which England, as long as it is England, will retain."

Traces of Danes in the names of places.

The Danes remained in England for about 300 years; but, until Canute became king of England, they seem to have been rather ravagers of the land than peaceful settlers. The changes they effected in our laws are matter of controversy, and patriotic Danes claim for them trial by jury, and many other beneficial institutions. In this there is unquestionably great exaggeration. The exact truth is difficult to ascertain, but the Danish names of places, scattered over a considerable portion of England, show that they had settled themselves widely throughout the country.

Danish names of places easily distinguished from Anglo-Saxon.

The Danish names of places may easily be distinguished from the Anglo-Saxon. Thus, all places which end in -ton, -ham, -bury or borough, -forth or -ford, -hurst (a wood or forest), and -worth, not to mention others, are Anglo-Saxon. Sussex, Surrey, and Kent were eminently Anglo-Saxon counties, and the number of places whose names end in -hurst, as Penshurst, Midhurst, Ewhurst, are evidence, not only of their Saxon character, but also of the extensive forests which formerly covered large portions of those counties, and of which many parts still remain, especially on the borders of Sussex and Surrey. The Weald (wold or wood) is yet applied to the same district, including the adjoining part of Kent.

The following are Danish rather than Saxon end-

ings: -with, a forest; -toft, a field; -fell, a rocky mountain; -force, a waterfall; -garth, a large farm. The ending -by, a town, is exclusively Danish.

Danish names principally in the middle and north of England.

Now these Danish names are found principally in the middle and north of England. There are above 600 towns and villages ending in -by; such as Derby, Whitby, Grimsby, Selby, Rugby. Of these, above 200 are in Lincolnshire, and above 150 in Yorkshire, while in Essex there are only two, in Kent only one, and not one in any other county south of the Thames.

Danish endings compared with Anglo-Saxon endings.

Where the English, or Anglo-Saxons, said Ship-, as in Shipton, the Danes said Skip-, as in Skipton, Skipwith; where the English said Fish-, as in Fishtoft, the Danes said Fisk-, as in Fiskerton; where the English said Worm-, as in Wormshead, the Danes said Orm-, as in Ormshead; where the English said -church, as in Dunchurch, Whitchurch, the Danes said -kirk, as in Ormskirk; where the English said -cester or -chester, as in Worcester, Manchester, both derived originally from the Latin word Castrum, a camp, the Danes said -caster, as in Lancaster; and where the English said Charl-, as in Charlton, the Danes said Carl, as in Carlby, thus using *c* or *k* where the Saxons used *h* or *ch*. It is needless to give more instances of these endings, but, if you look through any large maps, you will find these Danish names distributed as I have mentioned.

Danes in London.

In London, there are several names which recall the memory of the Danes and Northmen. Thus in the Borough, there is St. Olave's Church, dedicated to the Norwegian king, Olaf the Saint, and Tooley Street is believed to be a corruption of St. Olave's Street. There are in London three other churches dedicated to St. Olaf. Then again, in the Strand, there is the parish of St. Clement Danes. This was

originally a Danish settlement outside the walls of the old city of London.

In one instance it is curious that the Danes changed the name of an old Saxon city into a Danish name, and that the Danish name has remained to this day. Derby, which from its termination is evidently a Danish word, was originally called by the Saxons Northweorthig. The Danes had five great settlements in that part of England, viz.: Derby, Stamford, Lincoln, Nottingham, and Leicester.

What I have told you about these names of places is sufficient to show you that the Danes settled themselves widely over England, and principally on the north-east coast, from which they seem to have spread into the midland counties. From the south, where they made great efforts to overcome the Anglo-Saxons, they seem to have been entirely driven out; and neither in our language, nor in our laws, have they, in any part of England, left traces so deep as the Saxons.

The Reign of Edward the Confessor.

A. D. 1042.

Edward the Confessor chosen king.

Hardicanute died in 1041, and, on his death, the English, enraged at the oppressions of the Danes under his reign and that of his predecessor Harold Harefoot, shook off the Danish yoke, and chose for their king, Edward, called the Confessor on account of his piety. He was the son of Ethelred the Second, called the Unready, and of Emma, sister of Richard Duke of Normandy, from whom descended William called the Conqueror. A King of the Anglo-Saxon race thus again ascended the throne. But although

the Anglo-Saxon blood flowed in his veins, he was also half a Norman. He had been brought up in France, and preferred the Normans (for so were called the inhabitants of that part of France where Edward had lived) to his own subjects, the English. He consequently showered down on these Normans all his favours, and he bestowed on them all the great offices of state. The sturdy old Anglo-Saxons would not put up with this, and a quarrel soon broke out between them and the Normans. An Anglo-Saxon earl, named Godwin, put himself at the head of the Anglo-Saxons, and Edward was soon obliged to banish the Normans from the kingdom. When

He favours the Normans.

He is obliged to banish them.

Coronation of Harold,
as represented in the Bayeux Tapestry, an elaborate piece of needle-work wrought by Matilda, wife of William the Conqueror.

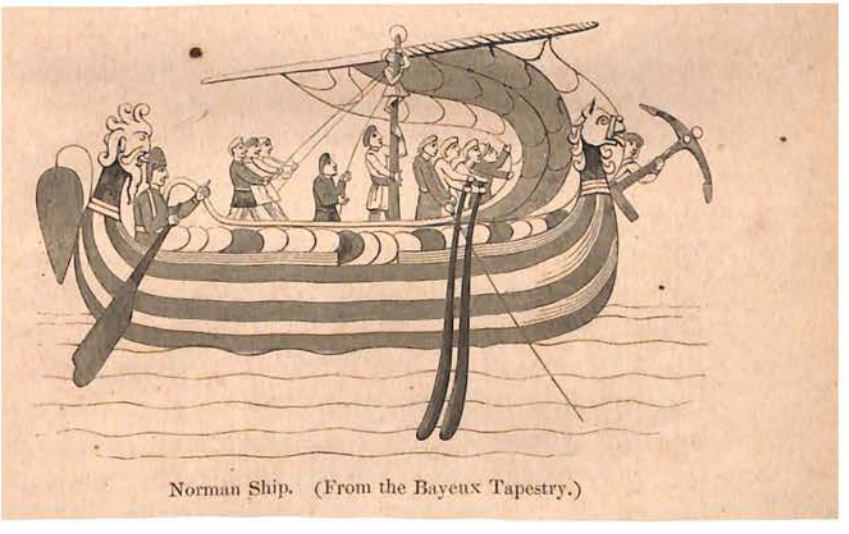
Harold II., A.D. 1066.

he died, Harold, the son of Earl Godwin, was chosen by the people for their king. A pure Anglo-Saxon King thus again filled the throne, but he was the last of the Anglo-Saxon kings.

William the Conqueror invades England.

William the Conqueror.

Harold was King of England, but the throne was claimed by William Duke of Normandy, the descendant of Richard Duke of Normandy, whose sister Emma was married, first to King Ethelred the Unready, and afterwards to Canute the Dane. William pretended that Harold, the son of Godwin, had solemnly promised to assist him in obtaining the English throne; and therefore, when Harold was proclaimed king, William invaded the country to establish his claims.



Norman Ship. (From the Bayeux Tapestry.)

The Battle of Hastings, A D. 1066.

He landed near Hastings, in Sussex, and fought a great battle with Harold, at a place about ten miles from Hastings, which has since borne the name of Battle. The fight was called the Battle of Hastings. According to the most credible accounts, each army consisted of about 50,000 or 60,000 men; the Anglo-Saxons of one arm only, infantry; the Nor-

mans of a large proportion of cavalry and archers, the artillery of that time. When the Normans advanced, the Anglo-Saxons, under the command of Harold, kept inside their camp, which was strongly fortified with ditches and palisades, and there they awaited the attack of the Normans. Again and again the Normans rushed furiously against them, charging with their cavalry, and pouring showers of arrows from their bows and cross-bows into the Anglo-Saxon ranks. But in vain. The Anglo-Saxons were armed with battle-axes, with which they broke the lances of the Norman cavalry, and penetrated their coats of mail. At length the Normans tried to draw their foes out of their strong camp by stratagem. They rushed to the attack, and then pretended to retreat. The Anglo-Saxons were deceived. They followed them in disorder, were attacked by the Normans, and driven back with great slaughter. Three times did this happen, but yet the Saxons were unconquered. At length a fatal accident gave the victory to the Normans. An arrow entered Harold's eye, and pierced his brain. Quickly did the news of Harold's fatal wound spread through the Saxon ranks. Dismay and consternation quenched their valour, while the Normans gained fresh spirit from their woe. Again they rushed to the attack; the Saxons fled, and the Normans gained the day. Thus ended the reign of the Anglo-Saxon kings, and thus began the reign of the Norman kings of England, beginning with William of Normandy, called from that time William the Conqueror. The battle of Hastings was fought in the year 1066, or rather more than 1000 years after the birth of Christ.

Harold is slain.

The Saxons are defeated.

The English Spirit of Resistance to Foreigners.

The Anglo-Saxons still defend their homes.

But though the Anglo-Saxon army was defeated, England was not conquered. The spirit of resistance to foreign invaders has always been strong in England, and always may it remain so. We are, it is true, merchants, and glad to welcome to our shores those who come in peace, to bring us from foreign lands such things as England does not produce, or to give us knowledge which we do not possess. But we never forget—and, I say, let us never forget—that we are islanders; that our islands are our home, our sacred home, never to be tainted by a foreign sway; never to be ruled, never to be dictated to, by a foreign king.

Rule, Britannia! Britons never shall be slaves.

> "This England never did, (nor ever shall,)
> Lie at the proud foot of a conqueror,
> But when it first did help to wound itself."

So says our greatest poet, and so was it on this occasion. Had there been no division among the Anglo-Saxons, no jealousies, the Normans would not have gained the victory. Let this ever be a lesson to us. United, we may resist the world in arms. Disunited, even we may fall beneath a foreign yoke.

The Normans helped to civilise the Anglo-Saxons.

The Normans of the same blood as the Saxons.

We must not, however, look on the Norman Conquest as nothing but a misfortune or disgrace to our land. In the first place, these Normans, although they lived in what is now a part of France, were not Frenchmen. They sprang from nearly the same

races as our Anglo-Saxon forefathers. William Duke of Normandy was descended from Rollo, a bold warrior of Norway, and thus the Northern blood flowed equally in the veins of William and of his new subjects; and if the Saxons were beaten, it was by foes who, like themselves, had been hardened in contests with the stormy waves of the Northern seas. Besides this, the Normans brought with them arts and civilisation, which softened the rough strength of our forefathers, without weakening their bravery. When the Normans settled in France,

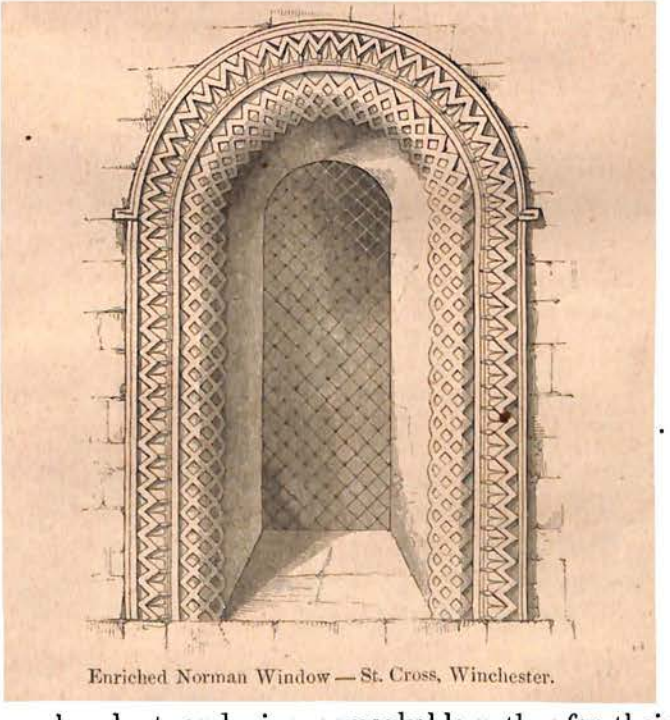
Norman Ladies. (From an old Psalter.)

The Normans speak the French language.

"they abandoned their native speech, and adopted the French tongue, which was mainly derived from the Latin. They speedily raised their new language to a dignity and importance it never before possessed. They found it a barbarous jargon; they fixed it in writing; and they employed it in legislation, in poetry, and in romance. They re-

nounced that brutal intemperance to which all the other branches of the great German family were too much inclined. The polite luxury of the Norman presented a striking contrast to the coarse voracity and drunkenness of his Saxon and Danish neighbours. He loved to display his magnificence, not in huge piles of food and hogsheads of strong drink, but in large and beautiful buildings, rich armour, gallant horses, choice falcons, banquets delicate rather

The Normans fond of arts and luxuries.



Enriched Norman Window — St. Cross, Winchester.

than abundant, and wines remarkable rather for their fine flavour, than for their intoxicating power."* These tastes, and this higher civilisation, the Normans imparted to our Anglo-Saxon forefathers.

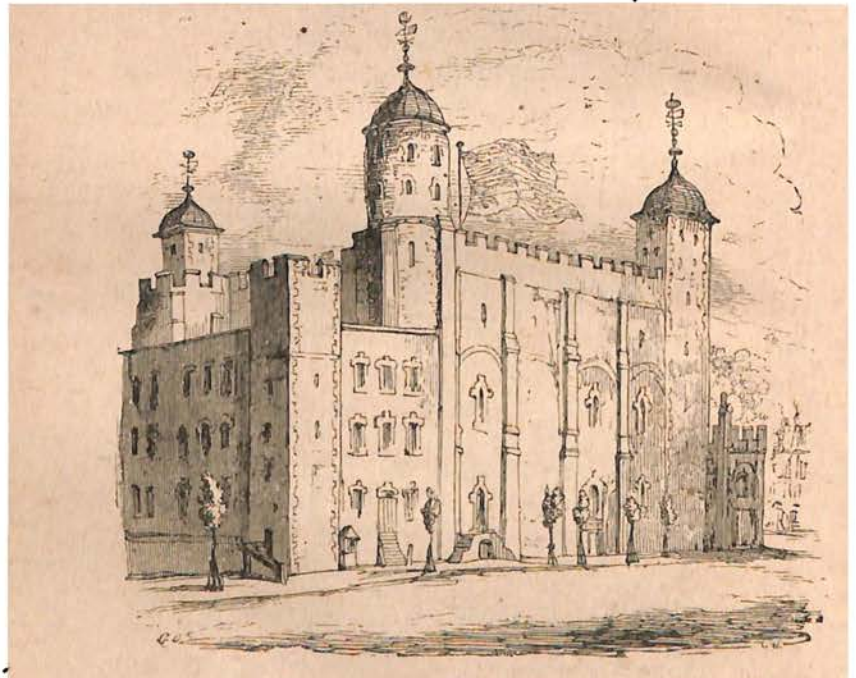
* Macaulay.

William the Conqueror reigns over England.

A. D. 1066.

William advances towards London.

I must now return to the events which followed the battle of Hastings. As I have already said, this battle by no means gave William complete possession of England. After his victory, William took possession of Dover, and then cautiously marched towards London. He found the Anglo-Saxons ready to op-



The White Tower, the most ancient part of the Tower of London.

pose him, and, therefore, after burning Southwark, he ravaged the surrounding counties of Surrey,

Buckinghamshire, and Hertfordshire, and finally took up a position at Great Berkhampstead, in order to prevent London being relieved from the North. Thither the Anglo-Saxon chiefs sent a deputation, and submitted themselves to William, who then marched to London. Before entering the city, however, he built a strong fortress, which has since grown into the Tower of London; and when this was completed, William entered London, and was crowned King of England at Westminster Abbey.

William goes to Great Berkhampstead.

Defeated in the South, the Saxons gathered together in the North of England, and were supported by the Kings of Denmark and Scotland. But William was never wanting in resolution or in speed. He hastened to the North and defeated the allied armies. His vengeance was terrible. A writer, who describes the state of the country sixty years afterwards, says: "From York to Durham not an inhabited village remained. Fire, slaughter, and desolation made it the vast wilderness which it continues to this day." Some of the country people, taking refuge in the mountains and forests, tried to subsist by plundering their oppressors; many sold themselves into slavery; and so hard pressed were they by hunger, that the flesh of dogs, horses, and even men, was greedily devoured. What was called peace was thus made in the North of England, and the Anglo-Saxon cause was utterly broken. Other efforts were made to resist the Normans, but in vain; the conquerors possessed the land.

William ravages the north of England.

William creates the New Forest in Hampshire.

The New Forest.

Among the acts of William the Conqueror, of which we find traces to this very day, I must mention the creation of the New Forest in Hampshire. William carried his love of hunting to excess, and, with a view to provide himself with a tract of country where deer, wild boars, and all sorts of game, might increase and multiply, he turned the cultivated ground of a great part of Hampshire into a forest, and so it remains to the present day. It is being gradually brought back into cultivation, but a large portion of the New Forest planted by William the Conqueror still remains. A writer of the time gives this character of him: "So stern was he and hot, that no man durst gainsay his will. He had earls in prison; bishops he hurled from their bishoprics. He overran Scotland, and he would in two years have won Ireland. In his time men had much distress. He took money by right and by unright. He made many deer parks, and he established laws by which whosoever slew a hart or hind was deprived of his eyesight. He forbade men to kill harts or boars, and he loved tall deer as if he were their father."

The curfew bell.

The curfew bell was introduced by William the Conqueror. You have all of you, I am sure, heard of the curfew bell:

"The curfew tolls the knell of parting day."

The word is derived from two French words, *couvre feu*, meaning cover fire.

This curfew bell was rung every evening, at about

sunset in summer, and about eight o'clock in the evening in winter. On hearing this bell, all lights and fires were to be put out. This was a precaution against fire, but it is said that it was one of the means by which William kept the people in subjection.

The curfew bell was done away with in the reign of William Rufus, but, even now, it is still rung at Norwich, at Winchester, at Oakham in Rutlandshire, and some other places.

Domesday Book.

Domesday Book.

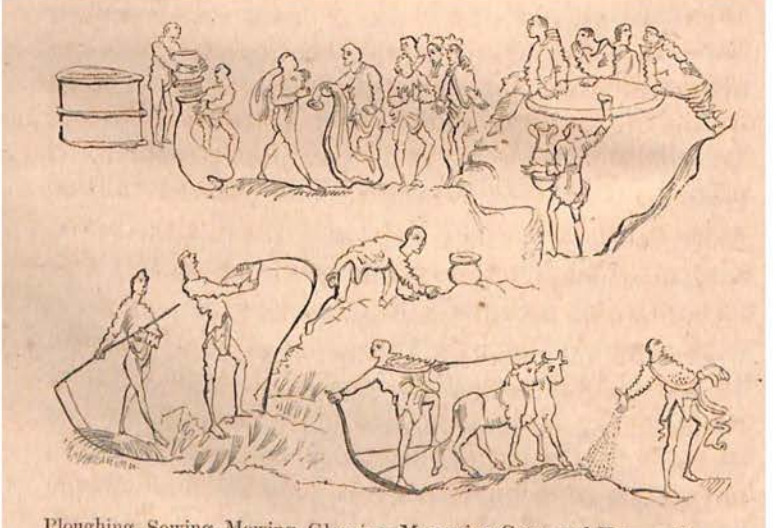
A view of the reign of William would be very incomplete without a notice of what is called Domesday Book. This was a book drawn up by order of William, and contained a complete account of the state of England in his reign. The original written book still exists in the Chapter House of Westminster Abbey. It is the most complete and most curious account of a country in such far off times that has ever been written. It gives the names of the owners and tenants of every estate in England, and shows us the different classes and occupations of the rest of the people. We find there were Norman Barons and Saxon Thanes. These were the nobility of the land, and were called freemen. Then there was a class called Villeins,—not villains, meaning bad men; but a class of men allowed to occupy the land at the will of the lord, on condition of performing certain services, often of the meanest nature. But they could acquire no property in land or goods. Below these were the slaves.

Cultivation

Domesday Book gives a very complete account

of the land described.

of the cultivation of the land, and of the crops that were grown. The grain-growing land is carefully registered as to its extent and value, and so is the meadow and pasture. An equal exactness is bestowed on the woods. It was not that the timber was then of any great value, but that the acorns and beech mast, on which numerous herds of swine subsisted, were of the greatest importance to keep up a supply of food. There are woods described which will fatten one hundred, two hundred, or three hundred hogs: and on the Bishop's land at Fulham one thousand hogs could fatten. The value of a tree was determined by the number of hogs that could lie under it.



Ploughing, Sowing, Mowing, Gleaning, Measuring Corn, and Harvest Supper. (From a collection of MSS. in the British Museum called the Harleian MSS.)

Manors.

The manor of Rickmansworth, of which the hamlet of Chorleywood forms a part, belonged to the Abbey

of St. Albans, and its extent was estimated at fifteen hides. There were in it as tenants four Frenchmen, twenty-two Villeins, nine Bordars, five Cottars, and five Serfs. There was one mill, a fishery, with meadow and pasture, and wood for 1200 pigs.

The manor of Aylesbury, in the neighbouring county of Buckinghamshire, made a royal manor in William's reign, was formerly held on very curious terms. It was granted on condition of the tenants finding litter or straw for the king's bedchamber three times a year, if he came that way so often, and providing him with three eels in winter, and three green geese in summer.

Vineyards.

Domesday Book proves that at that time the vine was grown in England. There are thirty-eight vineyards enumerated in the southern and eastern counties. Many gardens are mentioned. Mills are registered with great distinctness, for they were always the property of the lords of the manors, and the villeins could grind only at the lord's mill.

It would be easy to extend this account of the state of England from Domesday Book, but I have told you enough to show you how curious and important is this account of England in those times.

Death of William the Conqueror, A.D. 1087.

At length William the Conqueror came to his end. He was obliged to go over to France to defend his possessions in Normandy, and at the siege of Mantes his horse trod on some burning embers, and injured him so severely that he soon died from the effects of his accident. He was buried at Caen in France in the year 1087.

Reign of William Rufus.

A. D. 1087 to A. D. 1100.

William Rufus, A. D. 1087.

William the Conqueror was succeeded by his second son William, called William Rufus from the redness of his hair. He hastened from Normandy and seized the crown before his elder brother Robert could take any steps to support his claims to the throne. Robert succeeded his father as Duke of Normandy, and invaded England with a view of placing himself on the English throne. But William made fair promises to the Anglo-Saxons, who flocked to his help, and the invaders were defeated. William retaliated by carrying the war into France. He took possession of many towns, and thus again established the dominion of the English over a large part of France, which began by William, Duke of Normandy, sitting on the English throne, and which lasted for nearly two centuries, and was the cause of constant war and enmity between the two nations.

The Crusades.

The first Crusade, A.D. 1095.

In the reign of William Rufus began those extraordinary expeditions to a distant land, of which you must have heard under the name of the Crusades, or wars of the Holy Cross.

It had been for several hundred years the practice of the Christians to make pilgrimages to Jerusalem, in order to visit the Holy Sepulchre, where the body of Our Saviour was laid. The Egyptian caliphs,

who ruled over part of Palestine, had always encouraged these pilgrimages, for they necessarily brought much money into the land. But when the Turks, who hated the Christians bitterly, obtained possession of Jerusalem, they laid heavy burthens on the Christian pilgrims.

Peter the Hermit preaches a Crusade against the Turks, A.D. 1095.

At length a Frenchman, called "Peter the Hermit," went over Europe preaching war against the Infidels. He had himself been a pilgrim, and had, therefore, seen the cruelties inflicted on the Christians by the Turks. He roused all Europe to unite as one man to drive the infidels from the Holy Land. Peter the Hermit appealed to the Pope to help the noble cause, and the Pope answered his call. "Go," he said, "to attack the enemies of God. Let such as will fight for Christianity put a red cross on their garments, as the symbol of the Redeemer's sufferings, as an outward sign of their own love." Then gathered the people together with a spirit which has hardly ever been equalled. Even old men, women, and children eagerly followed the sacred banner, and much they must have added to the horrors and the sufferings which the Crusaders underwent. It was no easy matter in those days for thousands of people, and they a complete rabble, to travel thousands of miles, without discipline, without proper supplies of food, without surgeons to attend to their wounds, through countries of which they knew nothing, through climates to which they were utter strangers, among people whose manners were different from their manners, and whose language was to them an unintelligible jargon.

Sufferings of the Crusaders.

The wonderful scenes of that year have been described by eye-witnesses. The peasant shod his

oxen like horses and, yoking them to a cart, migrated with his wife and children, and the children, whenever they approached a town, cried out, "Is this Jerusalem?" Where Jerusalem was situated was, to most of them, a mystery. It was a far distant land, which a few pious and adventurous spirits had reached by difficult paths, over mountains and through deserts, and had returned to tell of its wonders and its dangers. At length the Crusaders reached the Holy Land, in spite of all their difficulties and all their sufferings. The English were led by Robert Duke of Normandy, the elder brother of William Rufus.

The Crusaders take Jerusalem, A. D. 1099.

They advanced against Jerusalem and, after a siege of two months, they carried it by assault, with a dreadful slaughter of the Turks. This was the first crusade, and the success of the Crusaders enabled the Christians for a long time to visit the Holy Sepulchre in peace and safety. There was, however, a second, and a third, crusade, of which you will hear by and by. This first crusade took place, as I have said, in the reign of William Rufus, but of him I have nothing more to tell you of any importance. He was killed in that New Forest which had been planted by his father. He was hunting there, and was accidentally slain by an arrow aimed at one of the "tall deer" his father so much loved.

Death of William Rufus, A. D. 1100.

Reign of Henry the First.

A. D. 1100 to A. D. 1135.

Henry the First, A. D. 1100.

William Rufus was succeeded by his brother, Henry the First, called by historians Henry Beauclerc, or Fine Scholar, on account of his learning. He

married Matilda, a Saxon princess, and thus united the Saxon and Norman lines. Matilda was the daughter of Margaret, the sister of Edgar Atheling (grandson of Edmund Ironside), and of Malcolm, King of Scotland. Her Saxon name was Edith, but to please the Normans, her name was changed to Maud or Matilda.

Henry sat on the throne for nearly forty years, but nothing very remarkable took place during his reign. In the early part he was constantly at war with his elder brother, Robert Duke of Normandy, who again invaded England in an attempt to obtain the English throne. His army, and that of King Henry, lay in sight of each other for some days, but peace was made between them by the influence of Anselm, the Archbishop of Canterbury. It was agreed that Robert should keep possession of Normandy, and Henry remain king of England. But Henry was very ambitious, and soon found a pretext for invading Normandy. He gained a victory over his brother, took him prisoner, and carried him off to England. Here he kept him in prison in Cardiff Castle for nearly thirty years; and as a chronicler of the time says, "Nor was he liberated till the day of his death." This victory over Robert gave the King of England undisputed possession of Normandy.

Reign of Stephen.

A. D. 1135 to A. D. 1155.

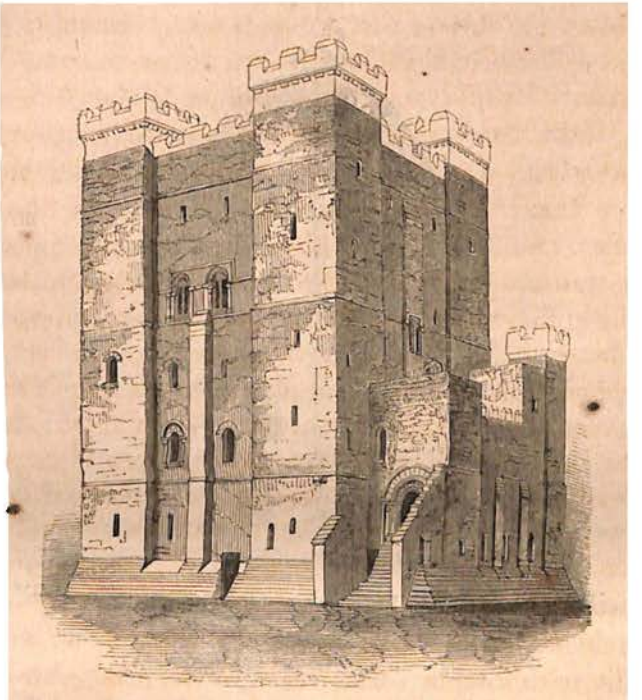
Henry was succeeded by Stephen, son of Adela, the fourth daughter of William the Conqueror. He Reign of Stephen. A.D. 1135.

is usually called an usurper, but the order of succession to the throne was not well settled in those days, and therefore it is hardly fair thus to brand his name. He did only what others of our kings did in those times without being branded as usurpers. The rightful possessor of the crown, as we should now think, was Matilda, the daughter of the late king; and Stephen's whole reign was occupied by contests for the throne with her and her uncle David, king of Scotland, who supported her claims. In order to gain adherents to his cause, Stephen was obliged to make many concessions to the Norman barons. They extorted leave to fortify their castles, which they filled with their turbulent soldiers, and greatly oppressed the people. An old chronicler says: "They filled the castles with devils and evil men. They seized those whom they supposed to have any goods, men and labouring women, and threw them into prison, for their gold and silver, inflicting on them unutterable tortures. Some they hanged up by their feet, and smoked with foul smoke; some by the thumbs, or by the beard, and hung coats of mail on their feet. This lasted the nineteen years that Stephen was king, and it grew continually worse and worse." These are the words of a writer of those days, and they give us a striking picture of the ferocity of the times. But these struggles between the Norman barons and the Saxon serfs helped to lay the foundation of the liberty and freedom we now enjoy.

The Norman Barons oppress the Saxons.

I must tell you the name of the husband of Matilda, who fought for the crown with Stephen, as he was the founder of a long line of English kings. It was Geoffrey Plantagenet, the ancestor of the

Geoffrey Plantagenet.

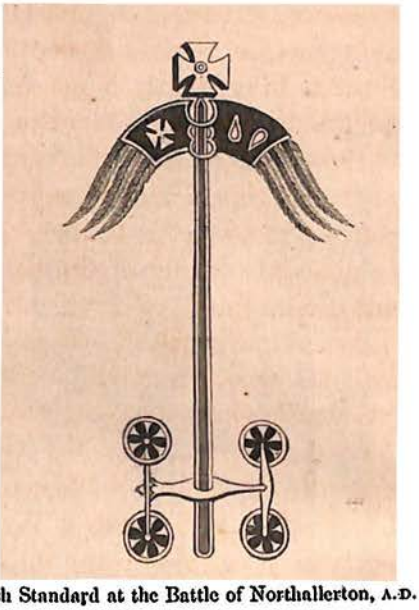


Norman Keep — Newcastle-on-Tyne.

Plantagenet race, who sat on the throne of England for 300 years.

Stephen was at first successful in his defence of his throne, and he gained a great victory over David and Matilda at Northallerton, in Yorkshire. This was called the Battle of the Standard, from the English carrying a high cross, erected on a waggon, as a military ensign. Stephen's success was not lasting, as he himself was not long afterwards taken prisoner; but, on Matilda's brother being captured, she consented to release Stephen in exchange for him. England was now invaded by

Battle of Northallerton, A.D. 1138.



English Standard at the Battle of Northallerton, A.D. 1138.

Matilda's son Henry, who gained a victory over Stephen, and he was thus enabled to make an agreement with Stephen and his friends, that although Stephen should be permitted to remain unmolested on his throne for the rest of his life, yet that the crown should be placed on his own head at Stephen's death.

Stephen's death, A.D. 1155.

Shortly after this arrangement Stephen died.

Reign of Henry the Second.

A. D. 1155 to A. D. 1189.

Henry the Second, A. D. 1155. The first of the

Stephen was succeeded by Henry the Second, son, as I have mentioned, of his cousin Matilda and of Geoffrey Plantagenet, Earl of Anjou. You will recollect the circumstances attending the accession

of Henry the Second, if you keep him in your mind as Henry Plantagenet, and as the first of the Plantagenets. The name Plantagenet is derived from the Latin name of the broom plant, Genista, and Plantagenet means the plant Genista, or broom. Henry's father, Geoffrey, took this name because he usually wore a sprig of this plant in his helmet. Plantagenets.

Henry was not only King of England, but he possessed nearly one third of France. From his mother he inherited Normandy, from his father Anjou, and with his wife Eleanor, the divorced wife of Louis the Seventh of France, he received Aquitaine.

Henry's reign was memorable for his contests with the Pope. The murder of Thomas à Becket, Archbishop of Canterbury, sprang from those disputes. It was a struggle between the Pope and the King of England to decide which was the strongest, temporal power, — that is, the power of the state, or the ecclesiastical power, — that is, the power of the church. The struggle began in this way. Struggles with the Pope.

England in those days was a Roman Catholic country ; and the Pope claimed authority over the kings, but more especially over all the bishops and clergymen in every country. The English clergy, supported by the Pope, refused to be judged by the laws of the land, and demanded that none should have power over them but their bishops and superiors in the church. Since the Reformation, which took place in the reign of Henry VIII., the Pope has had no power in this country, and the clergy have devoted themselves to teaching religion to the people; and they now not only devote themselves to this, but they do all in their power to promote the education

and general comfort of the people, and to teach them to obey the country's laws, as well as to obey those laws themselves. But in those days it was otherwise.

Thomas à Becket.

Thomas à Becket stood by the Pope. He was the son of a citizen of London, who went with the Crusaders to the Holy Land, and who married the daughter of a Saracen. He early showed great ability, and thus gained the friendship of Theobald, the Archbishop of Canterbury, who sent him to Italy to gain knowledge, and on his return promoted him to high offices. When Henry came to the throne, Thomas à Becket was made chancellor, and was intrusted with the education of the King's son. The King bestowed on him also much property in land, and gave him the castle at Great Berkhampstead to live in. Here he dwelt in the greatest splendour, and his pomp and luxury were beyond anything that had ever been seen. His historian, in describing his luxuries, gives a curious illustration of the manners of the times. He says that his rooms were every day in winter covered with clean straw or hay, and in summer with green rushes, lest the gentlemen who visited him should soil their fine clothes by sitting on a dirty floor. This does not give one a very exalted idea of his grandeur; but what are now every-day comforts, were in those days unheard-of luxuries. He was fond of hawking, hunting, and feats of horsemanship. When Archbishop Theobald died, the King put Becket in his place. He knew that Becket was aware of his intention to put down the encroachments of the clergy, and he thought he might rely on him as his friend. But no sooner did Becket become archbishop, than his whole nature seemed to change. He kept up his former pomp

Thomas à Becket at Great Berkhampstead.

The King thinks Becket will be his friend.

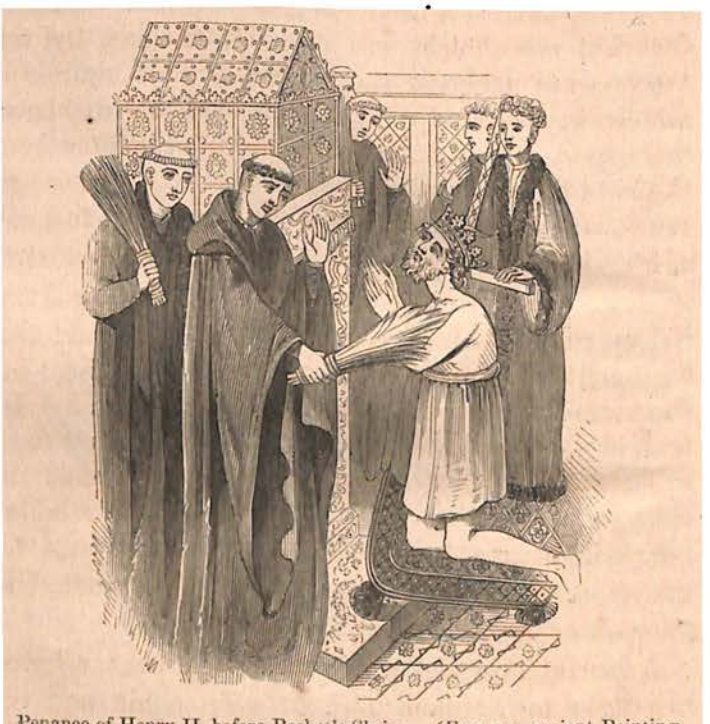
and splendour in the number of his servants, but in his own person he put on the most rigid austerity. He wore sackcloth next his skin; his usual food was plain bread, and his drink was pure water. He gave up the great offices of state which Henry had bestowed on him, and told the King that henceforth he must devote himself to his spiritual concerns. The fact was that he was an ambitious man, and was resolved to support the power of that church of which, in England, he had now become the head. An opportunity soon came for showing his intentions. A priest grossly insulted a gentleman's daughter, and murdered her father. The King demanded that the priest should be delivered up, to be punished according to the laws of the land; but Becket, now Archbishop of Canterbury, refused, and maintained that he should be judged by the church alone. The King summoned the clergy, to decide what was to be done; and it was settled that a priest who committed a crime should be judged by the laws of the realm, as if he were a layman. Becket pretended to submit; but, being supported by the Pope, he again opposed the King. Finding he was likely to be worsted in the conflict, he escaped secretly to France.

Thomas à Becket sides with the Pope.

After an absence of six years, he was allowed to return to England, and he soon again put the power of the church in opposition to the power of the King. Henry was much provoked, and at last exclaimed, "To what a miserable state am I reduced, when I cannot be at peace in my own realm by reason of only one priest; there is no one to deliver me from my troubles." Henry, it is to be hoped, did not mean that he wished the archbishop to be murdered, but his words were heard by four knights, who

The King complains of Becket's opposition.

determined to take the part of the king against the archbishop. They went to Canterbury, and demanded of Thomas à Becket that he should take the oath of allegiance to the King. He refused; and the knights, full of murderous thoughts, retired to put on their armour. They then followed the archbishop



Penance of Henry II. before Becket's Shrine. (From an ancient Painting on Glass.)

into the church, and one of them cried out, "Where is the traitor?" The archbishop, who was no coward, seized him and flung him to the ground. The knight rose and struck him, and then the four knights together fell upon him, unarmed as he was, and murdered him, in the year 1170.

Becket is murdered, A. D. 1170.

This was, indeed, a dreadful crime. It is fortunate for us that the principles for which Becket strove are not the principles of our days; but the murder of the archbishop was a crime which cannot be justified by any consideration, whether human or divine.

Thomas à Becket becomes St. Thomas à Becket.

The Pope and the clergy in general naturally looked on Becket as a martyr, and three years after his death, he was canonised, or made a saint, by the Pope. His body was removed to a magnificent shrine in Canterbury Cathedral, enriched with presents from all parts of Christendom. Pilgrims went thither to obtain his intercession with Heaven, and even the King himself made a pilgrimage to the tomb of St. Thomas à Becket. His kingdom was disturbed by rebellion, and by an invasion from Scotland, and it was believed that these disasters were a judgment on him for the murder of St. Thomas à Becket. He therefore made this pilgrimage to the shrine. He walked barefoot towards it, knelt down, remained in fasting and prayer a whole day, and watched the holy reliques all night. He even submitted to greater humiliation: he assembled the monks together, put a scourge into the hands of each, and allowed them to lash his bare shoulders.

It is said, that in one year 100,000 pilgrims arrived in Canterbury, and paid their devotions at the tomb of St. Thomas à Becket. The shrine was destroyed by Henry VIII. at the time of the Reformation, but there are still sixty-four churches in England dedicated to his memory.

The year following the death of Thomas à Becket was rendered memorable by Henry's conquest of Ireland. Henry was now very powerful. In addition to England and Ireland, about a third part of France

belonged to him ; and in his contests with the Pope, he sacrificed but little real power.

Death of Henry the Second, A. D. 1189.

The conclusion of his reign was, however, rendered miserable by the undutiful conduct of his sons. Their mother Eleanor, although she had herself violated the sanctity of the marriage bed, was greatly incensed against Henry for his profligate life, and she stirred up her sons to rebel against him. The ingratitude of his favourite son, John, in joining the conspirators, grieved him greatly, and hastened his death.

Henry died at Chinon, in Touraine, and was buried at Fontevraud, in Anjou.

Reign of Richard the First.

A. D. 1189 to A. D. 1199.

Richard Cœur de Lion, or the Lion-heart, A. D. 1189.

Henry the Second was succeeded by his third son Richard, commonly called "Cœur de Lion," or the Lion Heart, on account of his bravery. Richard was sincerely sorry for his undutiful conduct to his father, and when he came to the throne he showed his grief by immediately taking into his counsel all his father's faithful servants who had opposed the rebellion of his sons.

Massacre of the Jews.

The commencement of Richard's reign was disgraced by a very savage act, for which, however, the people are to be blamed, rather than the King. The day before his coronation the King had proclaimed that Jews and women should not be allowed to be present. It is said he was afraid he might suffer from the supposed magical arts of the Jews.

Some Jews, however, came to offer him presents, according to the custom of the East, and they forced their way into Westminster Hall, where the ceremony was to take place. A Christian struck a Jew as he entered, a quarrel between Jews and Christians at once began, and the Jews were driven out of the Hall. London was full of people from the country, who had come up to see the sights, and all the Londoners were in the streets. A cry arose that the King had ordered all the Jews to be massacred, and then began a fearful attack on the poor Jews. Old and young, women and children, were murdered alike. Some shut themselves up in their own houses, which were set on fire, and the inmates were thus burnt in their own dwellings. In other cases, the rabble forced their way into the houses, and threw the sick and dying into the flames. The Christians set the Jews a bad example. At York the scenes were, if possible, worse. After seeing their wives and children butchered before their eyes, the Jews shut themselves up in the castle, which was besieged by a furious mob for several days. At last, the night before the assault was expected, a Hebrew rabbi thus addressed his people: "Men of Israel, God commands us to die for his law, as our glorious forefathers have done in all ages. If we fall into the hands of our enemies, they may cruelly torment us. That life which our Creator gave us, let us return to him willingly and devoutly with our own hands." They then set the building on fire, and all, with but few exceptions, were burned in the flames. Those who escaped from the fire were murdered by the mob.

Massacre of the Jews.

Richard as a Crusader.

Richard goes to the Holy Land.

Richard's reign was chiefly memorable for his adventures in the Holy Land, at the head of the Crusaders; for, out of the ten years of his reign, not one was passed in England. You will recollect that I told you the first crusade took place in the reign of William Rufus, and that its object was to deliver Jerusalem from the Turks. The first crusade was about the year 1100, and the Crusaders succeeded in their object; but the Turks did not allow the Christian pilgrims to visit the Holy Sepulchre unmolested. Consequently, a second crusade was preached about fifty years after the first; and, after fighting the Turks for nearly forty years, the Crusaders were defeated, and Jerusalem was taken. In this crusade the English had but little part. The Kings of England and France now determined to unite for a third crusade. Richard's whole soul was in the expedition, and he cared not what he did so long as he could raise money enough for the war. He sold lands, he sold earldoms, he sold public offices. He even sold the right which he possessed of compelling the King of Scotland to do him homage. "I would sell London," he exclaimed, "if I could find a chapman."

The Second Crusade.

The Third Crusade.

At length the army was raised, embarked, and landed in France. Richard and the French king, Philip Augustus, had agreed to unite their forces. It was not long, however, before the seeds were sown of a quarrel between the kings of England and France, which, after a time, interfered with the success of the Crusade. Richard was engaged to

Richard offends the King of France.

be married to a French princess, but having fallen in love with a princess of Navarre, named Berengaria, he married her instead. For this the French king never forgave him.

At length, after many adventures, the combined fleets reached the Holy Land, and Richard and Philip laid siege to Acre, a strong city on the coast. The Turks defended Acre with great courage, but at last they were obliged to yield.

The French King jealous of Richard.

Now were seen the fatal effects of the quarrel between the two kings. Philip did not forget Richard's want of faith to his daughter, and he was also jealous of the renown Richard had gained for his bravery. He was angry that, as an old chronicler says, "There was not of him a word, but all of Richard the king." Philip, therefore, secretly treated with Saladin, the brave leader of the Turks, for peace. Saladin agreed to release 2,500 Christian prisoners, and to pay the Crusaders a large sum of money.

The French king now proclaimed that the Crusade was at an end, and returned to France, leaving Richard behind to see that Saladin fulfilled the conditions of peace. But no sooner had the French departed, than Saladin began to make delays in keeping his promises. Richard determined on a fearful revenge. He had taken nearly 3000 hostages for the fulfilment of the conditions of peace, and these he now determined to slaughter. They were led out of the city and hanged. He then advanced with his reduced army, towards Jerusalem. The Turks contested every foot of the march with the greatest obstinacy. They planted the ground where the Crusaders encamped with sharp knives, which wounded the horses, and brought their riders to the ground.

Richard now unfortunately made another enemy. The Crusaders had taken possession of a place called Ascalon, and all, high and low, assisted in repairing the ruined walls. Richard called on the Duke of Austria to help, but he refused, saying, he was not born a mason; and so the King, deserted by his allies, and disturbed by hearing of the treachery of his brother John in England, became dispirited. He made peace with Saladin on condition that the Christians should have free access to Jerusalem.

Richard offends the Duke of Austria.

Richard then set sail for England, but his personal misfortunes now commenced, and his quarrels with the French king and the Duke of Austria began to bear their bitter fruits. His fleet was scattered in a violent storm, and the ship in which he sailed was driven towards the French coast, but not daring to land because of his quarrel with the king, he sailed about seeking shelter elsewhere. Having narrowly escaped being taken by pirates, he was at length wrecked on the coast of the Adriatic sea, and he and a few companions endeavoured to make their way through Austria in the disguise of pilgrims.

Richard leaves the Holy Land, A.D. 1192.

It was necessary to keep strictly secret that it was Richard King of England who thus landed in disguise, for he had offended not only the Duke of Austria, but many German knights who had gone as crusaders to the Holy Land. He betrayed himself, however, by his want of caution, for having sent his page into a town to buy provisions, the boy thoughtlessly took with him the gloves belonging to the King's armour, which were recognised by one of the German knights. The boy was questioned about his master, and was put to the torture till he confessed where the King was to be found. Richard was then

Richard lands in disguise.

seized and put in prison by the Duke of Austria, who handed him over to the Emperor of Germany. Richard is taken prisoner.

The place of his imprisonment is said to have been discovered in the following manner. In those days it was the custom for kings and great men to keep minstrels to sing and play to them. It seems that Richard's minstrel, named Blondel, was wandering about in Germany in search of his sovereign, doubtless watching near every fortress in which his lord and master might be shut up. He one day heard a well-known song, sung by a well-known voice. It was his beloved master. Blondel immediately answered him by singing another verse of the same song. Thus the King knew he was discovered by his friends, and Blondel knew he had found the King. The minstrel communicated with the King's friends in England, who negotiated with the emperor for the King's ransom. The emperor demanded an enormous sum, which the English had much difficulty in raising. The plate of the churches and monasteries was melted down to make into money, and, says an ancient annalist, "England from sea to sea was reduced to the utmost distress." At length the ransom was paid and Richard returned to England. Richard's minstrel. Richard is ransomed.

During the King's absence in the Holy Land, his brother John, prompted by the French king, Philip Augustus, had endeavoured to possess himself of England, and the French king had endeavoured to seize King Richard's possessions in Normandy. Richard's vigorous measures soon put an end to his troubles in England, and he then turned his attention to France. He was doubly anxious to attack the French king, first on account of his old

quarrel, and next to defend Normandy. The war in Normandy lasted all the rest of King Richard's reign. His death was caused by a wound received at the siege of the Castle of Chalus, in the year 1199. He, like his father, was buried at Fontevraud.

Death of Richard the First, A.D. 1199.

Reign of King John.

A.D. 1199 to A.D. 1216.

Reign of King John, A.D. 1199.

Richard was succeeded by his brother John, and his reign is one of the most memorable in English history. It is not on account of the virtues, the bravery, or the wisdom of John, for he was a bad son, an unnatural and treacherous brother, an unfaithful husband, without wisdom or bravery, remorseless and cruel, without a touch of natural affection. What then made his reign memorable? It is this, that in his reign were laid the foundations of English liberty, and not only the foundations, but a noble superstructure was then raised, which has lasted to this very day.

John's reign must be remembered.

In his reign too, and that of his successor, the English nation became one united people. When John became king, the distinction between Saxons and Normans was strongly marked, and before the end of the reign of his grandson, it had almost disappeared. In the time of Richard the First, the ordinary imprecation of a Norman gentleman was, "May I become an Englishman,"—as we now say, "I'm a Dutchman if I do such or such a thing." The ordinary form of indignant denial was, "Do you take me for an Englishman?" But one hundred years later, the descendant of such a gentleman was

proud of the English name.* In John's reign, too, the English language began to be the language of the nation.

I will now relate the events of King John's reign in regular order.

John's contest with his nephew Arthur.

On the death of Richard, the crown was claimed by Arthur, called Arthur of Brittany. He was the son of John's elder brother Geoffrey. But John was chosen king because Richard had left the throne to him by will, and Arthur was a mere boy. In those days, the right order of succession to the throne was not clearly settled. John was firmly seated on the English throne, and Arthur took possession of those parts of France which belonged to the English crown. But as soon as he was crowned, John went over to France to recover his possessions. At first, Arthur was successful; but at length King John fell suddenly on his army, and took Arthur prisoner. He was but a youth, but John feared to allow him to live, and he caused him to be murdered, or, as some say, murdered him with his own hands.

John murders his nephew.

A writer of the time thus describes the horrible scene. Some of John's counsellors suggested to the King the necessity of unfitting Arthur for rule by blinding him. The wretches sent to execute this command were disarmed by the tears and cries of the poor boy, and the cruel deed was delayed till the King's pleasure was known. It was all in vain. At midnight, poor Arthur was suddenly awakened, and ordered to come out of the tower in which he was imprisoned. At the door he found his merciless uncle, with an attendant. Arthur threw himself on

* Macaulay.

his knees, and with a flood of tears implored his uncle to spare his life. John ordered his attendant to murder the poor boy. The attendant, Walter de Mauluc, more tender-hearted than his master, shrank from the deed, and then the remorseless tyrant, seizing his nephew by the hair, stabbed him with his own hands, and threw his body into the river Seine.

By this foul murder John lost the greater part of his French dominions at one blow. The French king, who, according to what is called the feudal system (of which you will hear in the next lecture), was his superior, summoned John to appear before him to answer the charge of murdering his nephew. John refused, and Philip took possession of the French provinces, with but little resistance from John, who returned to England.

John's dispute with the Pope.

King John was soon afterwards engaged in a dispute with the Pope. In those days the Pope claimed the right of having a voice in the appointment of English bishops. John determined to dispute that right; and on the death of Hubert, the Archbishop of Canterbury, he appointed the Bishop of Norwich to succeed him. The Pope demanded that one Stephen Langton, an Englishman educated in France, and friendly to the Pope, should be appointed in his place. John refused: whereupon the Pope excommunicated him, and laid the kingdom under an interdict. Under an interdict all the churches were shut. No knell was tolled for the dead, for the dead remained unburied. No merry peals welcomed the bridal procession, for no couple could be joined in wedlock. These were among the effects of excommunication and interdict. The Pope also prevailed on the King of France to collect an army to invade

England. When the cowardly John heard of this, he was frightened, and implored the protection of the Pope, whatever submission it might cost. The Pope insisted on the appointment of Langton, to which the King agreed; and further, on his knees he humbly offered his kingdoms to the Pope, who actually had possession of them for five days. By these base means he averted the anger of the Pope, and prevented the invasion of England by the French. But out of the greatest evil Providence can bring forth the greatest good; and it is to this miserable man we are indebted for the liberties we enjoy this day. As the murder of poor Arthur lost the King his French dominions, so did his base submission to the Pope lead to the establishment of English liberty.

The cowardly John yields to the Pope.

John's Dispute with the Barons.

John's conduct throughout his reign had made him universally unpopular, and now the Barons were enraged beyond measure by his yielding to the Pope. Even Langton, the Pope's Archbishop of Canterbury, now showed himself a true patriot. He took the part of the Barons against the King, and at their head demanded the restoration of their ancient liberties, and the cessation of his various oppressions. Each party collected an army; but John was soon deserted by his followers, and at last his court was reduced to seven attendants, some of whom were, in their hearts, friends to the Barons. At length, on the 19th June, in the year 1215, a meeting between the King and the Barons took place at Runnymede, on the banks of the Thames, near Staines.

The Barons resist John.

Magna Charta, A.D. 1215.

Here the Barons presented to the King that great Charter of our English liberties, of which you must have heard under the name of The Magna Charta. This Charter provided that no man should be imprisoned, or be deprived of his possessions, or be outlawed or exiled, but by the law of the land, and that no taxes should be raised but by the general council of the nation. On these two principles our liberty rests. In other countries men are imprisoned without knowing with what crime they are charged; they are kept in prison without trial, and they are condemned without being heard. In other countries taxes are levied by the arbitrary power of the king; but here, in England, no tax can be imposed without authority from the House of Commons. John took an oath to govern England according to this Magna Charta.

This was a great victory over John, and sorely did it vex him. No sooner was he free from the Barons, than he resolved to escape from his oath. He procured foreign soldiers, and overran the country with armies from abroad. The English unwisely called in the aid of the French king; and, had they gained the victory over John and his foreign soldiers, they would in all probability have sorely rued the day, for they would have found that they had only exchanged an English tyrant for a foreign master. But John soon came to his end. He had assembled a large army to fight one great battle in support of his crown, when, passing along the shore of the Wash, near Wisbeach, he was overtaken by the tide. His treasures, his carriages, and his baggage were swept into the sea. His grief at this misfortune increased an illness from which he

was suffering ; and in the course of a few days he died, "unwept, unhonoured, and unsung."

John died at Newark and was buried at Worcester. Death of King John, A. D. 1216.

Tomb of King John, Worcester.

END OF THE FIRST LECTURE.

LECTURE SECOND

COMPRISING

AN ACCOUNT OF THE FEUDAL SYSTEM, AND OF THE ORIGIN OF THE LAWS AND GOVERNMENT OF ENGLAND.

Position of England at the Death of King John. — The Feudal System. —Allodial Lands and Feudal Lands.— Results of Feudal Customs springing from the Obligation of Military Service. — Abuses of the Feudal System. — Its good Effects. — Chivalry. — Investiture of a Knight. — Tournaments. — Results of Feudalism. — Feudal System established in England by the Normans. — Further Information as to Tenure of Land, and Division of the Nation into Classes. — Government of the Country, making of Laws, putting Laws in force. — Origin of the Laws of England. — How the Laws were enforced. — The King's Court. — The King's Court divided into other Courts. — Contrivances for removing Business from one Court to another — The Origin of Judges going on Circuit. — Trial by Jury. — Trial by Twelve sworn Knights first introduced by Henry the Second. — Court of Chancery. — Its Origin. — The Law administered in the Court of Chancery is founded on the Roman Law.— The Ecclesiastical Courts and Doctors' Commons. — Court of Admiralty.

Position of England at the Death of King John.

First Lecture ended with death of King John, A.D. 1216.

My former lecture, as you will remember, ended with the death of King John, soon after Magna Charta had been wrung from him by the barons. You will remember that John was weak, and cruel; that he was a tyrant and a coward; that he led an evil life, and that, whenever it suited him, he broke his sacred oath.

Character of Henry the Third.

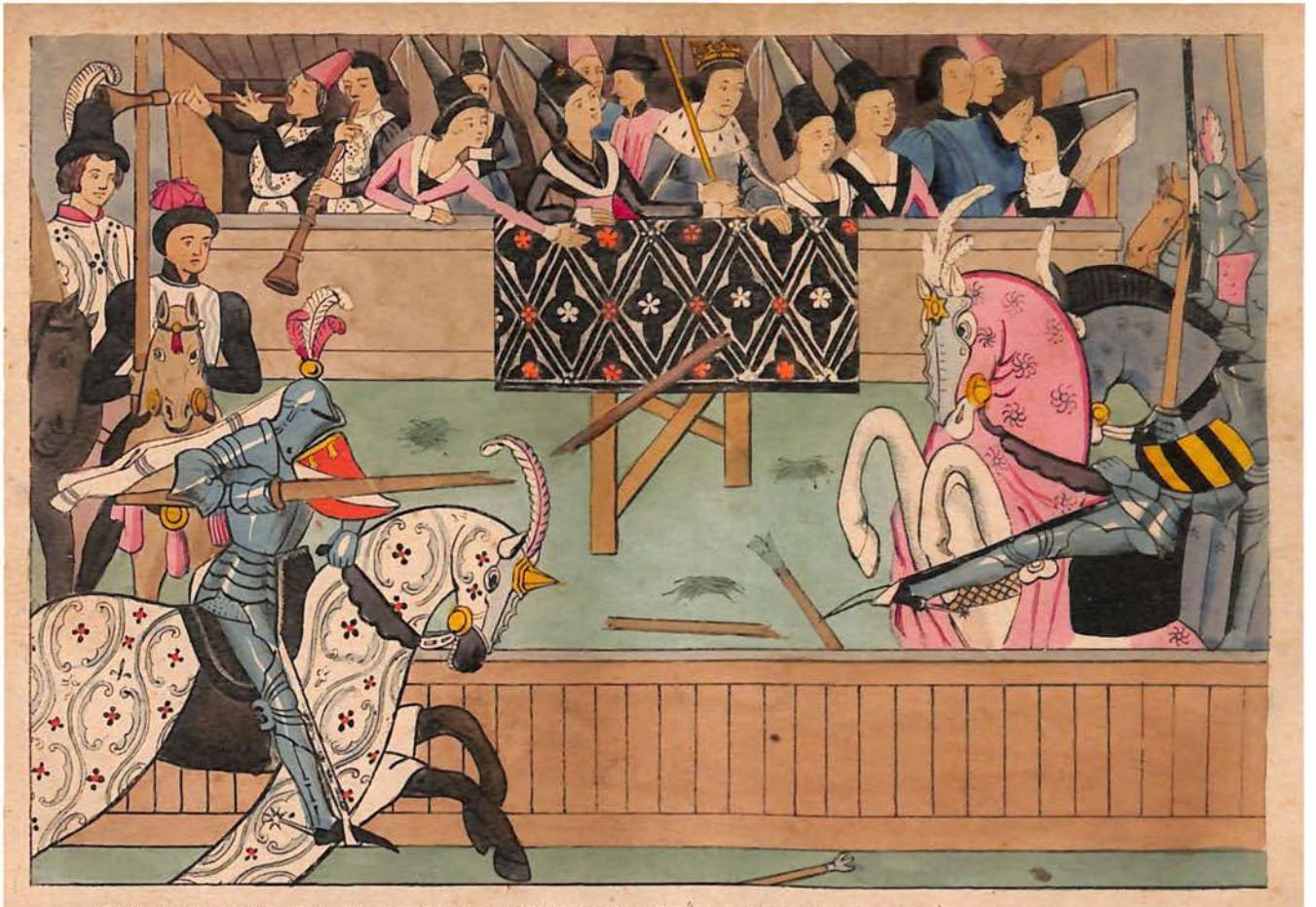
His son, Henry the Third, whose history I shall next relate, was a better man. No man ever said a word against his manner of life; he was not a tyrant, and never showed the mean cowardice of which his father was guilty. But he was not a great man,

He was not a wise man like Alfred, or Canute the Dane; not a man of strong will like William the Norman; not a man of gallant bravery like Richard the Crusader; nor a man of learning like Henry the First.

But in his reign England made way. Laws were improved, freedom was strengthened, and England became more English. How was this? It was greatly because he was not a man of strong will,—because he was not a man of high and lofty aims. He was always in want of money, and to get it he did not shrink from granting in return those demands which gave greater freedom to his people, although at the same time they lessened his own power. He also was always leaning to the French, and thus roused an opposing English spirit. He could not forget that the Plantagenets were a race of Frenchmen, and nobles of France, as well as Kings of England. He therefore showered down honours on Normans, on Gascons, and on the nobles of Poitou and Guienne. He made them his courtiers, his advisers, and his friends; and thus he roused the English barons to demand, that English nobles should rule over an English people, and thus he helped to make England and England's rulers unite together as an English nation.

England's position at the death of John.

You will remember, lastly, that at the end of King John's reign, the barons of England, goaded on by his oppressions, and enraged at his treacherous attempts to set aside the Magna Charta, to which he had solemnly sworn, had unwisely called in the French to help them. They called on Louis, the French prince, the son of Philip Augustus, King of France, to come to their aid. Louis pretended that he had a right to be King of England, because



REPRESENTATION OF A TOURNAMENT TAKEN FROM THE COTTON MSS. NERO D^#^ IN THE BRITISH MUSEUM.

Drawn on stone from a Fac-Simile made by Mr Verr^n^ Howard.

he had married the sister of Prince Arthur, whom John had murdered, and the barons may have thought the claim was just. But it was unwise to call in foreign help, and had not John died before, by the help of their foreign friends, the English barons had overcome him, England might have become a part of the dominions of the King of France.

I have recalled these events to your minds, in order that you may remember what was going on in England, at the time to which I had come, at the end of my former lecture. But before I go on with the regular History of events, I wish to pause and take a general view of some of the institutions of the country, which existed at the death of King John, some of which, indeed, began much earlier, but many of which were greatly changed during his reign and that of his immediate successors.

Present Lecture intermediate.

I shall, therefore, devote this lecture to that object, but in the next I shall proceed with the regular course of the History.

The present Lecture a summary of early institutions.

In making this survey, I shall have to beg your earnest attention; I hope that young and old, men and women, will attend carefully. You must not expect that I am about to amuse you. You will, I hope, find much that is very interesting, but I intend to tell you about serious and important matters, which all Englishmen should understand, and which at these times, above all, should be brought before them. My subject to-night will be, The Ancient Laws and Customs of the Country. I wish to tell you who made our laws, how they were made, who put them in force, and thus I wish to enable you to understand the rights and privileges of Englishmen; and while, on the one hand, I hope to make you fully value those

which you now possess, I wish, on the other hand, to prepare you for the proper use of any greater privileges which hereafter may be yours.

The Feudal System.

Feudal System.

You have already heard much, and in the reign of Henry the Third and his immediate successors you will hear more, of the barons, their castles, and their retainers; and of the King's castles, and of the King's demesnes. Besides the King's castles, the whole country was in those days covered with others, strongly fortified, belonging to the proud barons, who summoned their vassals to appear in arms at their side, whenever they wished to attack their neighbours, to resist the King, or to help him in his wars. You will hear that these barons sometimes went to Parliament, clothed in armour, each baron surrounded by his own vassals, all fully armed. Now to understand all these matters, I must explain to you that system which I mentioned in my former lecture, and which I told you was called The Feudal System. Under this system all ranks, from the King to the lowest labourer, were bound together; but under conditions that we should now call slavery.

I begin my account of the ancient institutions of the country with the Feudal System, because this system was so mixed up with every relation of life, with the origin of the present ownership of land, with the making of our laws, with the putting those laws in force, and indeed lay so completely at the root of all that was thought or done in those days, that you cannot understand the History of England unless you know what the Feudal System means.

Ownership of Land.

The Feudal System rested entirely on the ownership of land, and the duties attending such ownership. It will be well, therefore, to begin by trying to find out how it was that any particular estate or portion of land belonged to any particular person. We know that in the present day many owners of land have bought it from others. But many have received their estates from their fathers, and they have come down from one generation to another. There must, however, have been a beginning of all this, and we must therefore try to find out how it was that the first owner got his land.

Origin of property in land.

How the land was owned before the Romans came, we have no means of finding out. But ownership there must have been, for the land was tilled. Flocks and herds might be led over a wild country without any part of it being especially the property of any one person. But no one would plough and sow, as the Ancient Britons did, unless they knew that they would reap the produce, and that they had a right in the land. Beyond this, we know nothing about the ownership of land before the Romans came, nor indeed do we know much more about the subject during their stay in England. The Romans lived chiefly in towns, which they built, leaving the natives in possession of the land.

Invaders seized the land.

But, when we come to Anglo-Saxon times, we stand on firmer ground. We know that the Saxons, and all German invaders, seized the land, and kept it either wholly as their own, or gave the natives only a share in it. But the leaders of those Saxon tribes who invaded England were not Kings who ruled over

soldiers whom they hired and paid, and who were bound to obey them. They were on the contrary a body of bold free rovers, united under a chief of their own choosing, bolder, abler, or more powerful than themselves. When, therefore, one of these chiefs, with his followers, had overcome a tribe of Britons, and was ready to settle in the land, each man obtained a share, which the chief was obliged to grant.[1]

The leaders took the largest share.

There can be but little doubt that the leader took the largest share of the land, or of the plunder. But this was not always yielded without strife. For instance, when Clovis, King of the Franks, invaded Gaul, the plunder taken was set out at Soissons for distribution. Among the things was a precious vessel, taken from the Church at Rheims. Clovis asked leave to take it, whereon a fierce soldier exclaimed, "You shall have nothing here but what falls to your share by lot," and, striking the vessel with his battle-axe, he dashed it to pieces. Still, without doubt, the leaders had the largest share, and it seems that *wheresoever* there was a division of land, there the leader took a portion. For, in the earliest records of authentic history, we find, that, generally throughout the different states, the King possessed ample domains.[1]

Allodial Lands and Feudal Lands.

Allodial and feudal.

The lands that were divided among the followers of a chief were their own entirely. But the King, from time to time, granted portions of *his* land to his followers, as rewards for their fidelity, in return for acts of special service, or to attach them more closely to himself. These portions were granted on certain conditions, which gave rise to what is called

the Feudal System. Under that system, the lands which were a man's own property, were called allodial lands, and those which he held of the King, or of any other man, were called feudal lands. In England there never were lands which could properly be called allodial, for William the Conqueror, who introduced the Feudal System into England, provided that all ownership of land should spring from himself, as I shall presently more particularly explain. The lands which were a man's own property, before the introduction of the Feudal System could not be called allodial, as this term had special reference to that system. Those who held feudal lands were obliged to perform certain duties in return for the use of the land, and to submit to certain laws and usages which were sometimes of an oppressive and degrading nature.

Feudalism suited to Ancient Times.

Mutual service and protection the essence of feudalism.

But we must remember that, while on the one hand, the vassal (as the tenant or occupier of the land was termed) swore to be faithful to his lord (as the grantor of the land was called) and to yield himself up to him, the lord, on the other hand, swore to protect his vassal. So great was the benefit of this protection, that many men who held allodial lands were glad of their own will to make them feudal, for the sake of the protection of the lord whose vassal they became. Indeed, "the greater part of the allodial land had become feudal in the eleventh century." [57] The Feudal System began in barbarous times, when every man's hand was against every other man's, and when men were therefore glad to bind themselves together for mutual help.

The King's Vassals or Feudatories. Military Service.

The duties which the King's vassals engaged to perform were purely military.[58] Each tenant, or vassal, was compelled to provide a certain number of knights or horsemen, fully armed, and ready to fight under the King's banner, and he was bound to keep them in the field at his own cost for a certain number of days. It mattered not whether the tenant was a layman or a priest; the same duties fell on each. It was a duty which fell on every man who held land of the King.

Tenants in Chief.

Those vassals who held land of the King as his immediate tenants, were called *tenants in chief*. These had numerous retainers dependent on them, and they imitated the King in parcelling out the land among these retainers, exacting from them services similar to those which the King exacted from themselves, as well as other services, of which I shall presently give you an account.

Subvassals or subfeudatorics and subinfeudation.

This practice was not prohibited, provided sufficient land were retained by the tenant in chief to enable him to perform the services due to his superior lord.[34a] After a time, however, this practice was found to be against the interests of the superior lord, and a celebrated Act of Parliament, known by the name of *Quia emptores* (which means "forasmuch as purchasers" did such and such things), was passed in the reign of Edward the First, to provide that whenever a vassal granted land to a subvassal, the subvassal should hold his land on condition of rendering the required services to the superior lord of whom the vassal held his land.[35]

Tenure of Land.

Forms of tenure.

From various causes the King's tenants found it convenient thus to parcel out their lands. Some-

times they had more land than they themselves could easily manage, and their military duties often prevented them from cultivating their lands. They therefore granted portions of their estates to inferior tenants [23], some on military tenure, and some on, what was called, socage tenure,—that is, on condition of making returns in service, corn, cattle, or money, the term socage being derived from the Anglo-Saxon word, *soc*, which means a plough. This was the origin of rents.[58, 59] The services exacted by these lords of their subvassals or tenants were of different kinds. First, there was *free service*, which meant such as was not unbecoming a soldier,—as, to serve under a lord in his wars, and so forth. Next, there were *base services*,

Socage tenure was the origin of rent.

Free service, and base service.

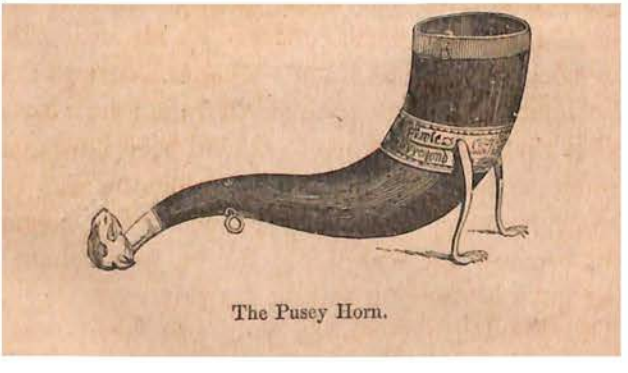
The Arms of the City of Bristol, showing a Warder blowing a Horn on the Top of a Castle.

or such as were fit only for peasants, — as, to plough the lord's land, to make his hedges, to carry out his

Certain and uncertain service.

manure, and so forth. These services, whether free or base, were also either *certain* or *uncertain*. *Certain* services were such as were stinted in quantity, and could not be exceeded on any pretence; as to pay a stated annual rent, or to plough such a field for three days. The *uncertain services* depended on unknown contingencies,—such as, to do military service in person, or to pay an assessment instead, whenever called on, or to wind a horn whenever the Scots invaded the kingdom (which applied of course only to the northern counties), which were free services; or to do whatever the lord should command, which was a base service.[59a]

There were other and very curious forms of tenure. Thus, in the time of Edward the Confessor, one Godric granted a certain piece of land [11], on condition of the holder teaching embroidery to his daughter; and the Pusey estates in Berkshire are still held on



The Pusey Horn.

the condition of the owner keeping possession of a drinking horn. This horn and the estates were given by Canute to an officer of his army, who had made his way into the Saxon camp, and discovered a plot to surprise the Danes.

The Oath of Vassalage.

Every military tenant, when he took possession of his land, whether he held it directly from the King, or from one of the King's vassals, had to make the following oath:—"Hear, my lord; I become your liege man of life, and limb, and earthly worship: and faith and truth I will bear to you to live and die. So help me God."[74a] This oath bound the vassal to defend his lord against all men. In battle, he was bound to lend his horse to his lord when dismounted, to stay by his side while fighting, and if his lord was taken prisoner, the vassal was bound to free him by giving himself up as a hostage for him. The oath was made with great pomp and ceremony. The vassal made it unarmed and bareheaded, on his knees, and with his hands placed between those of his lord; and, after the oath was taken, the lord and the vassal kissed each other. But the custom of the King's tenants parcelling out their land to tenants under them, called subvassals, rendered an alteration in the oath necessary. The King's tenants swore to defend their lord the King, against all men; but the subvassals thenceforth swore to defend their lord against all men except the King. This ceremony was called "doing homage," from the French word *homme*, a man, because the vassal became his lord's man, that is, he gave himself up to him entirely.

The vassal's oath.

Taken with great solemnity.

Homage.

The Feudal System, as you will hear, was not fully established in England until the Normans came, but there were traces of it in Anglo-Saxon times. In the time of Athelstan, the grandson of Alfred, it was decreed that a man should take Fealty Oaths, that is, Oaths of Fidelity, in the following manner:—"Thus shall a man swear Fealty Oaths. By the

Ancient fealty oath.

Lord, before whom this relic is holy, I will be to N. faithful and true, and love all that he loves, and shun all that he shuns, according to God's law, and according to the world's principles, and never, by will nor by force, by word nor by work, do aught of what is loathful to him; on condition that he me keep, as I am willing to deserve, and all that fulfil that our agreement was, when I to him submitted and chose his will." [69]

This most degrading oath was probably taken by the lower class of tenants only, or when a man chose his lord, which, you will hear, every man was obliged to do. But it makes one believe that in Anglo-Saxon times the people were far from free.

Investiture.

Form of investiture of a tenant.

After the oath was taken, the vassal was invested with the land. This was done in two ways. He was either put in actual possession of the land by his lord going with him and giving it up to him, or it was given to him by a symbol, that is, by the delivery of a clod of earth, a sod of turf, a branch of a tree, or whatever else might be agreed on to represent the land.[10]

Results of Feudal Customs springing from the Obligation of Military Service.

The feudal customs and duties which sprang from military service being exacted of those who held land, were of a very curious nature. But you will see that they sprang naturally from the system.

The possessor of land bound to fight for his lord.

The possessors of estates were not, under the Feudal System, the absolute owners of the land they held of the King, but it was so usual for the estates to descend from father to son that their possessors

became almost absolute owners. But yet the possessor could not sell or give away a part, or even the whole, for he who held the land was bound personally to fight for his lord, and the person to whom the land was sold might be unable to do so. All therefore at the death of the possessor went to his heir. But the heir might be a child, and unable to perform military service. The lord therefore took possession of the estate, and kept all the profits of it, until the heir became of age. This was not all. When the heir was old enough to possess the estate, he of course was bound to perform military duties, and the lord therefore became his guardian, in order to train him up in such a way that when he became of age, he should be accustomed to the use of arms.

The lord became the guardian of his vassal's heir.

The Lord's Control over the Marriage of Females.

It might, however, happen that the heir was a girl, who of course could not, in person, fight for her lord. The lord therefore had a right to settle whom she might marry. Her husband would be his vassal, and it was necessary that his vassal should be a man able and willing to serve and help him. Her father even, for the same reason, could not give her in marriage without consent of his lord, but if the lord refused, he was bound to give a reasonable ground for his refusal. When her father died, the lord acted as the heiress's guardian, and when she was fourteen years of age he might marry her to whomsoever he pleased.[75] At one period the lord had the right of compelling the heiress to marry one of three persons whom he presented to her, and there was only one ground on which she could refuse. She might say she hated all the three, that she loved another, that she was an afflicted widow and would rather not marry again. But all

Customs in case of the heir being a female.

Females above sixty years old were not obliged to marry.

this would be of no avail. If, however, she said she was more than sixty years old, and, therefore, would rather not marry at all, the lord was obliged to let the old woman have her own way.[80]

Abuses of the Feudal System.

The king often sold his power over the marriage of heiresses.

These customs were not finally done away with till the reign of Charles the Second, though it was high time they should be. They led to all kinds of abuses. Thus, King John sold to one Thomas Basset the guardianship of an heir, and the right of making him marry one of his daughters. One Reginald de Pontibus, or Reginald Bridges as we should call him, bought a husband for his daughter, and one Walter Cancy bought the right of marrying any wife he pleased. A widow named Wiveron paid Henry the First a certain sum of money in order that she need not marry unless she pleased; the widow of the third Earl of Chester after the Conquest paid 500 marks, or 333*l.* 6*s.* 8*d.*, that she might not be compelled to marry during five years; the Countess of Warwick gave security to John that she would not marry, nor enter a convent for twelve months, and she then paid him 1000*l.* that she might remain a widow as long as she pleased. Under the *improved* system of Magna Charta, widows were allowed to remain single as long as they pleased, provided they gave security not to marry without consent of their lord.[79]

Reliefs, Fines, Aids, and Heriots.

Reliefs.

But there were other conditions following on the feudal possession of land. When an heir, or a fresh tenant, succeeded to an estate, he had to pay a sum of money, which was called a relief, or a fine. If the vassal died without an heir, the estate went back to

the lord, and was said to be escheated, from an old French word, *eschoir*, to fall or happen. The term relief is derived from a Latin word, *relevare*, to lift or take up again, and the relief was paid by the incoming tenant or heir, on taking, or *lifting up again* the inheritance of an estate, which had, as it were, fallen to the ground on the death of an ancestor.[95] If on the other hand, the vassal failed to perform his military or other duties, the estate was forfeited. There were other payments, called aids, which the vassal was bound to pay to his lord on certain occasions, viz.: when his eldest son was made a knight, when his eldest daughter was married, and when the lord was put in captivity. Aids.

There was also another custom connected with the holding of land, which exists in full force even at the present day. I mean the custom of claiming a heriot, on the death of a tenant, or on a new tenant entering on possession. The right of claiming a heriot belonged to those whose lands were held on socage tenure, which I have already explained, and which was converted into what we now call copyhold tenure. Freehold tenure was occasionally subject to this claim, but this was rarely the case. There is this difference between Heriots and Reliefs. The Heriot was the act of the leaving, and the Relief of the incoming tenant or heir. Heriots.

For a long time a heriot has meant the best live beast, or the best piece of moveable property, such as jewels or plate,[61] which belonged to the tenant, and which could be found in his possession at the time of his death.

Heriots did not, however, originate with the Feudal System, and did not from the first bear the meaning I have just given, but they consisted originally of war

Heriots. accoutrements. The word itself is derived from two Anglo-Saxon words, viz. *here*, an army, and *geatwe*, appointments, or apparatus, so that its original meaning was fitting out for battle, and included from the first the horse as well as armour. In confirmation of this we find, in the laws of Canute,[74] the following interesting details about the nature of the heriot at that time.

Heriots in the time of Canute. "And let the heriots be as it is fitting to the degree. An 'eorls,' such as thereto belongs, that is, eight horses, four saddled and four unsaddled, and four helmets, and four coats of mail, and eight spears, and as many shields, and four swords, and two hundred mancuses of gold. And after that, a king's thanes, of those who are nearest to him: four horses, two saddled and two unsaddled, and two swords, and four spears, and as many shields, and a helmet, and a coat of mail, and fifty mancuses of gold. And of the medial thanes: a horse and his trappings, and his arms; or his 'heals-fang' in Wessex; and in Mercia two pounds; and in East Anglia two pounds. And the heriot of a king's thane among the Danes, who has his 'socen,' four pounds."

From this it may be seen that heriots existed before the complete introduction of the Feudal System by William the Conqueror; but that king, when he introduced the system, kept the right of claiming a heriot, which was however, as I have stated, chiefly dependent on what we now call copyhold tenure. The origin of the custom was probably the duty of military service falling on all holders of land, even before the complete establishment of the feudal system. When, therefore, a tenant died, and his power of performing military duties consequently ceased, the lord claimed the weapons, or equipments with which he performed those

military duties. Originally he may have claimed them in order to give them to the next tenant, for, according to the strict theory, or original notion of heriots, the horse and arms had been the gift, or rather the loan, of the chief, and were to be returned at the death of the vassal, in order that they might furnish some other adventurer with the instruments of service.[96] After a time, heriots ceased to mean war equipments only, and were held to give a right, on the part of the lord, to the best live beast, or best piece of moveable property.

Good Effects of the Feudal System.

Feudalism had its bright side. It arose, as I have said, in barbarous times, when it was good that men should unite together for mutual help in any way. It encouraged feelings of fidelity and respect on one side, and on the other, the duty of protecting and guarding those who had sworn to be true and faithful. Bravery was held in great esteem, and what is called Chivalry sprang out of the Feudal System. Fidelity and bravery.

Chivalry sprang from Feudalism.

There is so much that is interesting in Chivalry, and it had so great an influence on the manners of the times, that, although it did not flourish in its greatest glory until a century after the reign of Henry the Third, yet a few words on the subject will not be out of place here.

Chivalry never was a distinct institution, like the Feudal System, but was rather an exalted idea of the perfection which ought to be arrived at by a military Chivalry.

knight. It was a perfection that never was and never could be attained; but it was set before a young man, when he became a knight, or when he was first allowed to bear arms, as the perfection at which he should aim. The introduction of a young man to the military service was an essential element of feudalism and was the first germ of Chivalry.[81]

The sons of vassals were allowed to bear arms equally with the sons of their lords, and the barons' castles became schools of military discipline and chivalry, to which the young men considered it a privilege to be admitted. The vassals were glad to avail themselves of such a privilege, and the lords were equally glad to train up a body of brave and chivalrous supporters. Until the young man became of a proper age to bear arms, he served in the castle as cupbearer, page, or esquire; but, from the day that he was allowed to bear arms, he ceased to serve in mere household duties, had the privilege of fighting for and protecting his lord, his lord's family, and his lord's estate, and, in a word, became what is called a knight.[81]

Investiture of a Knight.

Symbolic forms.

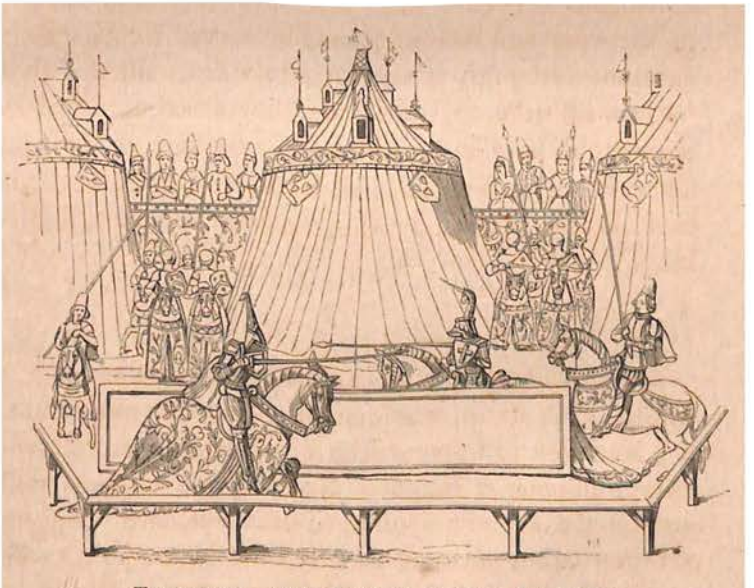
The ceremony of Investiture, or of presenting a knight with arms, was one of great solemnity, and was intended to impress him with feelings of religion and of honour. He first took off his clothes, and entered a bath, as a symbol of purification. He then put on a white garment as a symbol of purity; next, a red one, as a symbol of the blood he was ready to shed in defence of his lord, and lastly, a black one, as a symbol of the death he was ready to undergo in discharge of his duty. He then went through various

religious ceremonies, and finally he was girt with his sword. The oath he took bound him to fear God, to serve his King, to protect the weak, to do good for the sake of glory and virtue alone, never to fight a man at unfair odds, and to observe faithfully his plighted word.[82]

Above all, he bound himself more especially to the defence of women, whom he was supposed to love and obey with the utmost devotion.

Tournaments.

The knight also was constantly engaged in martial amusements, and it was his pride to show his valour

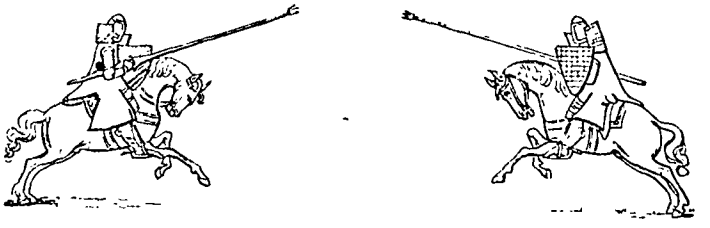


Tournament. (From Froissart, Harleian MS. 4379.)

and skill in the use of his weapons against all comers, on great and solemn occasions, not only in his own

Tournaments.

country, but at foreign courts. Hence arose those displays of martial skill, called Tournaments, in which men, armed to the teeth, engaged in combat in the presence of Kings and Queens, Lords and Ladies. It would take too much space to describe to



Knights Jousting. (Roman du Saint Graal. Royal MSS., 14 E. III.)

you the various kinds of tournament, but I may mention, that although intended as a sport, and usually fought with blunt weapons, yet this was not always the case. Sometimes deadly weapons were made use of, and life was often sacrificed.

Results of Feudalism.

Power of the Barons.

The barons surrounded thus by armed retainers, all sworn to live for them and to die for them, and faithfully to obey all their commands, became a powerful body, and were, as you will find, a great check on the power and encroachments of the kings. It is true they fought for their own rights; but, without intending it, they thereby secured the rights of those beneath them. Liberty did not spring from below, was not lost by the usurpations of those above; but each class, from the nobles downwards, had to fight for its liberty and to extort it from those above it.

Liberty sprang from the struggles of each rank with that above it.

Further Abuses of Feudalism.

Before leaving the subject of Feudalism, I must notice the way in which its ruling principle became abused and degraded. This principle was, as you will remember, the personal discharge of military duties. In course of time many men found this to be an irksome duty, and a custom grew up of paying money to the king instead thereof; this was called scutage, escuage, or shield-money from the Latin word *scutum*, a shield. This gave the King great power of oppression, for, if he wanted to go to war, he levied a scutage, and after a time, whenever he wanted money he levied a scutage, under the pretence of going to war. At last, however, it was provided by Magna Charta, that these scutages should not be levied without consent of Parliament.

Payment instead of service.

Scutage.

Interference of Magna Charta to prevent abuses.

In like manner, the aids and reliefs which were due when an heir entered on possession of his estate, when he married, when he became a knight, and on other occasions, were all made by the King means of extorting money.

Still, on the whole, the Feudal System suited the times, and although we may rejoice that, in its main elements, it has passed away, yet there can be no doubt that in its time it was the source of much good.

Feudal System established in England by the Normans.

The Feudal System was not confined to England, nor did it begin here. There were traces of it in Anglo-Saxon times, as you have seen in the oath of

fealty, taken in the time of Athelstane, but it did not exist here as a system until the time of William the Conqueror, who introduced it from Normandy.

The way in which William introduced the feudal system.

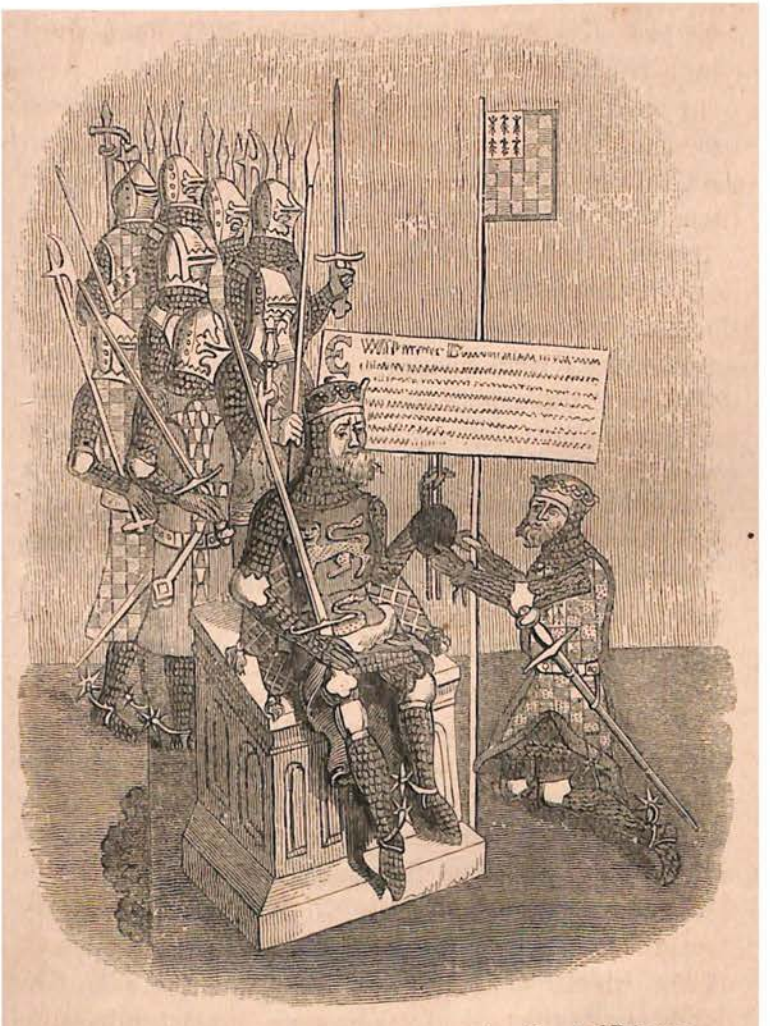
In order to understand the way in which he introduced it, we must go back to the mode in which men obtained possession of land in the Anglo-Saxon times.

Those to whom land was given, at the time of the Saxon invasions, held it as their own, and they had the power of giving or selling it to others. All such sales or gifts were accompanied by the giving of a document, called a charter, or land-boc. Whoever had possession of this land-boc, was held to be the owner of the property. These documents, or title-deeds as we should call them, were usually placed in a monastery for safety.[9]

When William came, the lands were no longer seized by a number of fierce warriors, each one claiming a share as his right, but they were distributed, as rewards, by the leader of a body of soldiers who were bound to obey him. William had promised his warriors to give them land, and one of his first objects was to keep his promise. But he wished that all titles to land should spring from himself, and so he destroyed every one of these land-bocs, by which the Anglo-Saxons held their lands, on which he could lay his hands.[9] He then took possession of the royal lands, which were very extensive, seized also the lands of those who had taken arms against him, and distributed them among his followers, who were called Barons, keeping, however, extensive lands for himself.[21] The lands were not however, as in Saxon times, given in absolute ownership, but they were granted on certain conditions, viz., on what is called

He seized the title deeds of the land-owners,

and granted the lands on feudal tenure.



William I. granting Lands in Richmondshire to Alan, Count of Britanny.
(From Cotton MSS., Faustina, B. vii.)

Feudal Tenure, which I have already explained to you, and thus the Feudal System, which had long been a Norman institution, was introduced into England.

Further Information as to Tenure of Land, and Division of the Nation into Classes.

I shall now give you some further information as to the tenure of land, and this will lead me to tell you of the different classes into which the nation was divided, and of the state in which they lived.

Manors. The lands, or estates distributed by William among his followers, were called Manors by the Normans. The divisions of land thus named, existed, as I told you in my former lecture, in Anglo-Saxon times, but they were not called Manors till the Normans came. The name was derived from a Latin word (*manere*) meaning to dwell or remain, because the lord dwelt on the land in a house or mansion. A manor was a tract of land held by a lord or great personage, who kept to himself such parts of it as were necessary for his own use. These were called demesne lands. The rest he distributed to freehold tenants. Of the demesne lands again, part was kept in the actual occupation of the lord, for the purposes of his family, part was held in villeinage (which I will explain to you immediately), and the rest, being uncultivated, was called the lord's waste. This waste portion served

Commons. for public roads, and for common of pasture, to the lord and his tenants. This explains to you the origin of, and laws relating to commons, such as Chorleywood common, at the present day. Manors were formerly (by the Normans) called baronies, as they still are Lordships, and the owner of the Manor is, as I have no doubt you know, called the Lord of the Manor.[60]

William the Conqueror seized for himself nearly 1500 Manors, besides giving between 2000 and 3000

to his followers. Those who received the largest grants, to the extent, for instance, of six manors, were called the greater barons; those who received grants to a less extent, the lesser barons.[22]

I must now explain to you what is meant by holding land in villeinage, and in order to do this I must tell you of the different classes into which the nation was divided, and I shall begin with the labouring class.

Thralls or Villeins were slaves.

The lowest class of the community were called Thralls or Villeins, who existed in a state of absolute slavery, and none who had unhappily been born in, or had fallen into, bondage, could acquire an absolute right to any species of property.[85] This was also the case in Scotland, as may be seen by the book of ancient Scottish laws. "Na bondman may buy or purches his libertie with his awin proper gudes or geir, because all the cattell and gudes of all bondmen are understand to be in the power and dominion of the maister: swa that without consent of his maister, he may not redeme himself out of bondage with his awin proper denires or money."[85]

These villeins probably originally consisted of conquered Britons[39], but as criminals who could not pay the fines to which they were subject by law were degraded to this state, many of the Saxon invaders no doubt became included in the class, even before the Normans came.[97] After their arrival it was common for the Normans to make slaves of the Saxons. These Thralls or Villeins were, in some cases, attached by law to the soil, and could not be removed from it, but they always belonged to the owner, for the time being, of that particular estate. Others, who were called villeins in gross, were the personal property

of the lord[23], and could be sold by him, as he would sell his horses or his cattle, and if a villein was murdered, the fine which was paid for murdering a man was paid to the lord who was his owner.[42 98] These slaves were so numerous as to form a considerable branch of English commerce.[99] An author, who lived in the reign of Henry the Second, informs us, that such a number of them was exported to Ireland, that the market there was absolutely glutted; and another declares that, from the reign of William the Conqueror to that of King John, there was scarce a cottage in Scotland that did not possess an English slave.[85]

Villeinage. A man who held land in villeinage did so on condition of rendering such services as were usually rendered by villeins, or, as described by a learned lawyer of the time of Henry the Third, "Pure villeinage is where a man holds on terms of doing whatsoever is commanded of him, nor knows in the evening what is to be done in the morning."[43] Every man was bound to place himself in dependence upon some man of rank and wealth, as his lord. A "lordless" man was liable to be slain as an outlaw by any one who met him.[41]

It is thus expressed in the laws of King Athelstan: "And we have ordained, respecting those lordless men of whom no law can be got, that the kindred be commanded that they domicile him, and find him a lord in the folk-mote; and if they then cannot or will not produce him at the term, then be he thenceforth a 'flyma' (that is a man who has fled for his offence), and let him slay him for a thief who can come at him."[70 a]

Ceorls, or Churls, The next class were called Ceorls, or as we should say, Churls.[100] These were freemen. They had their

cottages, and their slaves or labourers, and if a ceorl was murdered, the fine was paid to his own family. were freemen.

The rest of the population were called Thanes or Lords, and Eorls or Earls, and they formed the nobility of the land. But nobility sprang mainly from the possession of land, and hence a churl might become a lord.[40] A man was a thane who had five hides of land, and if a ceorl could acquire that quantity of land, he became a thane. This right was thus expressed in the old Anglo-Saxon laws.[70] "And if a ceorl thrived, so that he had fully five hides of his own land, church and kitchen, bell-house and burh-gate seat, and special duty in the King's hall, then was he thenceforth of thane-right worthy." A merchant, too, might become a thane. In the same laws it is said, "And if a merchant thrived, so that he fared thrice over the wide sea by his own means, then was he thenceforth of thane-right worthy." The dignity of eorl depended more on birth, but a thane might become an eorl. In the same laws again we find, "And if a thane thrived so that he became an eorl, then was he thenceforth of eorl-right worthy." The possession of forty hides enabled a thane thus to become an eorl.

Thanes, or Lords.

Ceorls might become thanes.

A merchant might become a thane.

A thane might become an earl.

Government of the Country, making of Laws, putting Laws in force.

I have now explained to you the origin of the ownership of land, how the Feudal System sprang from the imposition of military duties on the owners of land, how chivalry sprang from the Feudal System, and lastly, I have told you of the different classes into which the nation was divided. Recapitulation.

29994

I must now go on to tell you how the country was governed, how the laws were made, and how they were put in force, and we shall find that these were all very much connected with the ownership of land.

I have already told you that the King always possessed, as his own, certain portions of the land of the kingdom. These were distributed throughout

Witenagemote. (Cotton MSS., Claudius, B. iv.)

the country[1], and were, for the most part, parcelled out into what were called vills, farms, or manors. The King used, from time to time, to make journeys throughout the country, stopping at these vills or farms, and there entertaining his great men.[2] It is probable that after a time some of these vills were fortified and became the King's castles. These journeys were for the administering of justice, for the making of laws, and for the general government of

The King goes to his farms or manors, to administer justice, to make laws, and to govern the country.

the country. On these occasions he was always attended by a Council of wise men, and it is supposed that from this council the Privy Council of the present day arose.[17, 87] But there was also a greater council, called the Gewitena-gemote, (meaning an assembly of wise men) or Witena-gemote as it is commonly written, which was assembled on more solemn occasions.[102] These more solemn assemblies appear to have been held in the open air, in or near some city or populous town.[18] It was part of the business of the council which attended the King to settle when these more solemn councils should be held. Both councils were constituted of the superior orders of the King's tenants or vassals, together with archbishops, and bishops, and abbots of the principal monasteries.[101] On some occasions inferior members of the clergy were summoned. The superior clergy always formed part of the council of wise men[6]; for, in those times, they were the best educated part of the nation, and the law formed an especial branch of their studies.

Lesser Council.

Greater Council, or Gewitena-gemote.

You thus see that in Anglo-Saxon times the country was governed and laws were made by the King in person, travelling over the country attended by his council of wise men, visiting his estates, and from time to time holding the greater council called the Witena-gemote. The meetings of the Witena-gemote are the assemblies called Parliaments by the writers after the Conquest[18], and from the reign of Edward the First the great council was called together four times a-year, and obtained the settled name of Parliament.[36] This great council or Witena-gemote seems to have been more like our House of Lords than like our House of Commons, but still it was from these assemblies that our Houses of Lords and

House of Lords and House of Commons.

Commons both sprang. It is difficult to say when the House of Commons first began, or when the Lords and Commons first formed two separate Houses. But it seems clear that no House of Commons, such as we have at the present day, existed before the reign of Henry the Third; for, as we shall presently see, it was not until that reign that cities and boroughs sent representatives to Parliament. It is not at all certain, and indeed it is unlikely, that, in its present form, it even then existed separately from the House of Lords. It is difficult to say at what time the two Houses were formally separated, yet from the earliest times, after the admission of representatives from towns, the three bodies forming the Parliament often consulted separately, and always voted separately. Their chief business was to grant sums of money to the King. The Bishops granted money from their own body, and the Lords and the Commons did the like. The Commons could not have granted money out of the property of the Lords or of the Bishops.[88, 89] In the present day it is the House of Commons that votes money from, or taxes the whole community. But it was not so then, and it was not so until a much later period.

The three classes forming Parliament always voted separately.

Members of the Gewitenagemote not elected, but sat by right.

Up to the time of William the Conqueror, the great council consisted only of those classes I have already mentioned, *who had a right to attend.* They were called together, but *they were not chosen or elected.*

Members of the Great Council were first elected in William the Con-

But, four years after the Conquest, we find William directing that twelve persons shall be *chosen* from each county, to inform him rightly of the laws and customs of England. In John's reign, in 1214, the year before the granting of the Great Charter, the

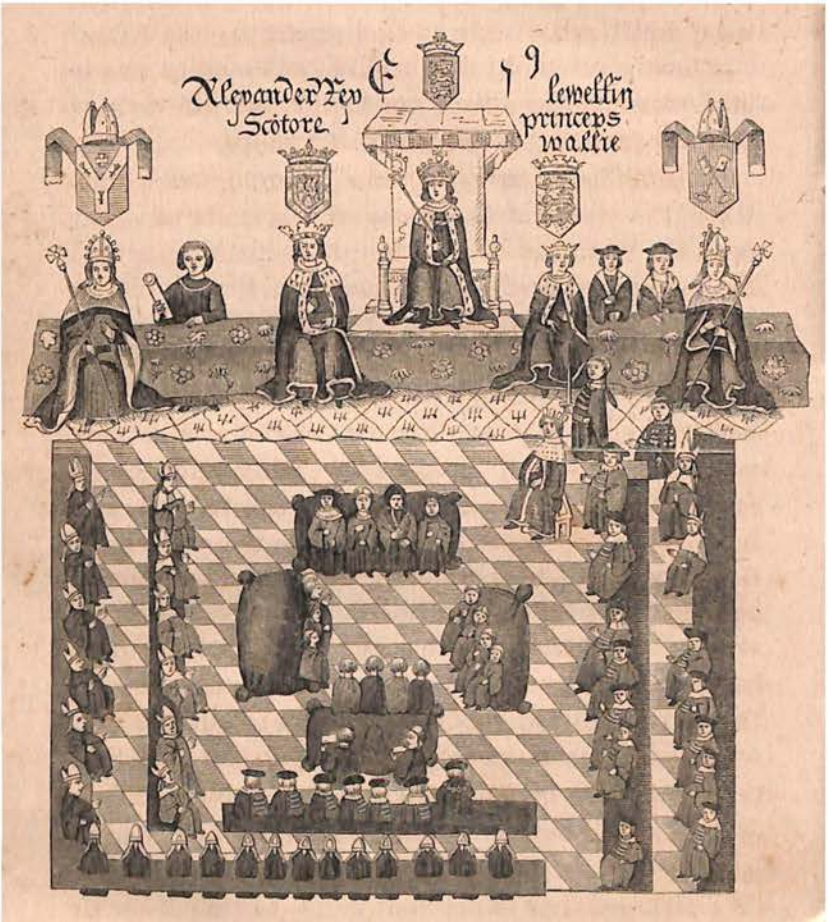
sheriffs were ordered to send to a general assembly at Oxford "four *chosen* knights in order to discuss with us the affairs of our kingdom."[44a] In 1254 Henry the Third directed a Parliament to be convened in London, to which the sheriff of each county was to cause to be elected "two good and discreet men of the shire, whom the men of the shire shall have *chosen for this purpose, in the stead of all and each of them*, to consider along with the knights of other counties, what aid they will grant to the King." This is clear representation, and it is the first clear evidence of representation to be found in English history.[86] At first, those only who were vassals of the King, and held their land by military tenure, had the right of voting at these elections.[46] Originally these military tenants themselves were summoned to attend, but this was often found inconvenient, and they were permitted to send persons in their stead.[44, 45] There was at that time clearly no right of universal suffrage, or any idea that all men of a certain age, or of good education, had a right to vote, independently of the possession or ownership of property. But during the reign of Henry the Third, if not earlier, all freeholders were entitled to vote.[47] Still it was only the counties that were represented. It was not until the year A.D. 1265, that towns were represented. In that year Simon de Montfort, after the battle of Lewes, issued writs to the Sheriffs directing them to return two knights for each county, and two citizens or burgesses for every city and borough. From this time the Commons may clearly be recognised as an Estate of the Realm in Parliament.[87]

queror's reign.

First clear evidence of representation in reign of Henry the Third.

Towns first sent Members in A.D. 1265.

De Montfort saw the growing importance of the



Parliament of Edward the First. (For description see p. iv.)

commercial classes, and the advantage of giving them a voice in choosing their representatives. He thus made them to some extent responsible for the measures which were taken to find money for the King.

I have now traced the origin of our present Houses of Lords and Commons, but I must say a little more about their forming two separate Houses.

It is difficult, as I have said, to find out exactly when the House of Commons was formally separated from the House of Lords; but the fact that they were thus separated is of great importance. There can be no doubt that the necessity for all measures, except the levying of taxes, being debated in both Houses, ensures a fuller consideration of all that is brought before them. It also prevents the rise of a despotic power, which would be sure to spring up from the uncontrolled authority of a single chamber. It is of importance too that there are only two Houses of deliberation. There might have been three Houses. It would not have been an unnatural proposal that the lords should sit in one House, the county members in another, and the representatives of towns in a third. But had this been the case, class would have been set against class, and endless contests would have been the result. There is, lastly, one more peculiarity of our Parliamentary System, and it is this, viz., That although we have an hereditary aristocracy it is not entirely separated from the people. The sons of peers are only commoners, and they can be and frequently are elected as members of the House of Commons. As, in ancient times, a ceorl or churl could become a thane, so, in modern times, commoners are often made peers: and thus

Separation of Parliament into House of Lords and House of Commons, of great importance.

the Peerage is constantly recruited from the commoners of the realm.

In ancient times Parliaments used to be held at various places throughout the kingdom. This custom probably arose from the King making journeys throughout the kingdom to his various vills and manors, where he held Courts; but for several centuries Parliament has met in Westminster only.

Administration of Justice or putting the Laws in force.

History of the laws of England.

You of course know that it is Parliament which makes our laws, and I shall now proceed to tell you how the laws were in the earliest times put in force; how the system of enforcing the laws was gradually changed; and in subsequent lectures I shall endeavour to trace the system to its present state.

It will be curious to trace out the history of our different Courts of Law, and what were the especial functions or duties of each; to know when and how the Court of Chancery sprang into existence; what was the beginning of the Court of King's Bench, and of the Ecclesiastical Courts; and what was the meaning of a Court of Exchequer, and of a Court of Common Pleas. I am sure you will also wish to know when and how it was that the Lord Chancellor began to advise the King and be the keeper of the King's conscience, as he is called even now; and when it was that the Judges were first appointed. It will interest you to know how a man, who was charged with murder, robbery, or any other crime, was found to be guilty or innocent of the charge; and how a man was dealt with who broke his oath, who

agreed to do a thing and did not do it. It is useful for every man to know something about these matters now, but it is very interesting to find out what was the beginning of them.

Origin of the Laws of England.

The King is the fountain of all law and justice.

Now, I must begin by telling you that there is no maxim of early law, so often repeated, as that "The King is the fountain of all law and of all justice." Bracton, a learned lawyer of the time of Henry the Third, whose reign I mean to tell you about in my next lecture, says, "The King would have been bound, by his coronation oath, himself to deal out justice to his people, if such a task could have been performed by him; but, as he could not do this, it was his duty to appoint able men as justices, sheriffs, and ministers to do it for him." [31]

The earliest code of English laws.

The earliest code or body of laws of which we hear in our history, was that of Ethelbert, King of Kent, about the year A.D. 600.[103] In imitation of the Romans, on whose laws most of our early laws were founded, he issued his decrees, and his Gewitenagemote or council of wise men, of which I have told you, gave him its advice on them.[4] It thus appears that it was the King who brought matters before the wise men, and that they only gave their advice on such matters as he brought before them. Indeed, so far was the maxim carried, "That the King was the fountain of all law," that it was even admitted that, "Whatsoever pleased the King had all the force of law." [5] In this code of Ethelbert, almost every kind of injury might be compounded for by a payment in money.[3] A certain sum of money was to be

At first all crimes might be atoned for by money payment.

paid for the murder of a thrall or peasant, and a certain larger sum for the murder of a ceorl or churl. This seems to have been the first substitute for private revenge in cases of injury with violence. After a time such crimes were subject to other punishments, and after a further time they were again atoned for by a payment in money.[32]

Laws of Canute, Edward the Confessor, and William the Conqueror.

After Ethelbert's code of laws the most important was that of Canute. In this were embodied the laws of Ine King of Wessex, in A.D. 688, of Alfred, Edgar, and Canute's other predecessors.[7] "The laws of Edward the Confessor" are constantly referred to in the disputes between the King and his subjects; but this does not mean new laws, made by Edward, but laws which were in use in his time.[8] The laws of William the Conqueror were founded on those of Canute.

How the Laws were enforced.

Shire-motes, or county courts; burg-motes, or town courts; and hundred-courts, presided over by the Eorl,

These codes consisted of the unwritten or common law and custom of the kingdom, collected together in one body for use. I must now tell you how, from the earliest Anglo-Saxon times, the laws were put in force. I have already told you that, in Alfred's time, England was divided into counties or shires, and these were again divided into hundreds and tithings. Well, there were, at that time, shire-motes or county courts, held twice a-year; burg-motes, or town courts, held twice or three times a-year; and hundred-courts, held every month.[13 104] At these courts, all the thanes, or free owners of land, of the neighbourhood, were bound to attend, and they acted both as judge and jury.[15] The Eorl, or Count of the shire, always acted as their president or

leader, but his business was only to put in force the doom or judgment pronounced by the thanes.[105] These courts acted in both civil and criminal cases, that is in cases of murder, theft, and such like crimes, as well as in matters of agreement between man and man. The Eorl was, however, always assisted by one of the clergy, a class of men, as I have before said, who were well acquainted with the law. This assistant was obliged to bring with him the Dom-boc, or Doom-book, or Book of Laws, in order that, when necessary, he might explain from it the law applicable to any particular case. "King Edward commands all the reeves (or officers): that ye judge such just doom as ye know to be most righteous, and it in the dom-boc stands."[68]

assisted by one of the clergy.

"And let the hundred-gemot be attended as it was before fixed; and thrice in the year let a burh-gemot be held; and twice a shire-gemot; and let there be present, the bishop of the shire and the ealdorman, and there both expound as well the Law of God as the secular Law."[72]

No witnesses were examined before these courts, for, as the thanes who formed the court came from the neighbourhood, it was supposed that they themselves knew all the facts of each case. The knowledge of writing at that time was uncommon; agreements were consequently made before other persons, and thus the knowledge of many private businesses was more widely spread and impressed on the memory. If there was a difference of opinion, that doom in which eight agreed was held to stand. "And let doom stand where thanes are of one voice: if they disagree, let that stand which eight of them say. And let those who are there out-voted pay,

No witnesses were examined.

The minority were fined

each of them, six half marks."[73a] It is very curious that the minority, that is those who were of a different opinion, were fined. It is difficult to understand the justice of this rule; but it must have been supposed, as these thanes gave judgment according to their own knowledge, that those who were in the minority gave a judgment contrary to their own knowledge, and therefore a false judgment. The necessity for juries all agreeing, in the present day, probably sprang from this practice.

The sheriff was always present.

There was always present at these courts a King's officer, called a shire-gerefa, or shire-reeve, or sheriff, whose duty it was to collect the fines fees and forfeitures due to the King. This shire-gerefa often acted as the deputy of the Eorl, and after the Conquest, he nearly always acted in his stead.[14]

The King issued writs in important cases.

If any especial case of importance needed to be looked into[14], the King issued an order to that effect to the thanes, which was called a writ or precept, and, in the present day, such writs are, as you most likely know, issued by the judges in the Queen's name.

The King's Court.

These three courts, viz. the county court, the burgmote or town court, and the hundred court, took cognisance of both civil and criminal cases. That is, they rendered justice in cases where one man had deceived or cheated another, and in cases where one man had robbed or beaten another, and so forth.

The King's Court, the origin of all our Courts.

But there was also a court called the King's Court, which had exclusive jurisdiction in cases of treason, murder, and some other crimes punished by death.[27] This court existed in very early times, and was the

origin of all our superior courts of common law. It probably always formed a part of the court of state which every Anglo-Saxon sovereign held on his birthday, and at other fixed times. At this court all his vassals, including the eorls, King's thanes, principal officers of state, and even ceorls who held office under the King, were bound to attend.[12] The King had many palaces within his kingdom, at his various vills or manors, and used to hold his court, and celebrate the high festivals of the year, at one or other of them as he thought fit.[91] At these courts, besides administering justice, the King consulted with the great men

Court of State held on the King's birthday.

at one of his palaces.

The King, with his Privy Council. (From an illuminated MS.)

who attended, "on weighty matters, and did many solemn acts in their presence, and with their concurrence." [92] This assemblage of great men was concerned in managing the affairs of the revenue, and

in distributing public justice; and in process of time it came to be called the King's Council.[92] This is the council which I described to you in my account of the early government of the country, but I have given you a further account of it here, because it was concerned, not only with the making of laws, but with enforcing them. This portion of the business of the King's Council was, after a time, managed by the separate court, which I am now explaining to you, called the King's Court. The law was administered in this, and other provincial courts, by officers called Justices; and in the reign of William the Conqueror an officer was appointed to preside over them, who was called the Chief or Grand Justiciary, or chief of the Justices. He was a person of very great importance. He was viceroy in the absence of the King, and writs were issued in his name. He was usually a dignitary of the church.[24]

The Chief or Grand Justiciary.

The King's Court divided into other courts.

In William the Conqueror's reign, all business relating to the royal revenue was taken away from the King's Court, and transacted in a court called the Court of Exchequer, which was formed after the model of a similar court in Normandy. The Grand Justiciary, and the Chancellor, (about whom I shall tell you presently,) who had the charge of the King's great seal, and such of the King's barons and dignitaries of the Church as the King chose for the purpose, attended. The Grand Justiciary presided. The Chief Justice of the Queen's Bench, who at the present day in some respects represents the Grand Justiciary of ancient times, is still, from his office,

The Court of Exchequer.

Chancellor of the Exchequer when a vacancy occurs.[26] This court was called the Exchequer, from the chequered cloth, resembling a chess board, which covered the table there, and on which, when certain of the King's accounts were made up, the sums were marked and scored by counters.[90]

Court of Common Pleas.

In King John's reign, another branch of business was removed from the King's Court. By one of the articles of Magna Charta it was declared that those injuries called common pleas, that is, pleas or complaints relative to land, or to injuries merely civil, such as a debt owed by one man to another, should no longer follow the King.[28] That is, they should not be tried in the King's Court, which at that time followed the King from place to place in his progresses through the kingdom. From thenceforward such causes were tried at Westminster in a court called the Court of Common Pleas, and from that time the King's Court was called the Court of King's Bench, because the King used to sit there in person. It continued to be, and still is, the superior court of law of importance in all matters of Common and Criminal Law, and in many other matters.

The Court of King's Bench.

The three courts I have described, viz., The Court of Exchequer, the Court of Common Pleas, and the Court of King's Bench, were, and are, the principal Courts of Justice in the realm for the administration of the common law.

Formerly, each of these courts had a separate jurisdiction. The King's Bench heard principally criminal causes, and certain others, such as trespass accompanied by violence, and also such as related to the controlling of inferior courts; the Common Pleas was for trials of disputes between subject and

subject; and the Exchequer decided only such causes as related to the collection of the revenue.

Contrivances for removing Business from one Court to another.

Curious contrivances were however resorted to in order to bring causes, which properly belonged to one court, to be tried in another, and as judges in those days received fees as payment for causes tried in their own courts, they willingly sanctioned various devices for bringing additional cases within the limits of their jurisdiction.

Legal fictions.

This shifting of business from one court to another was managed in this way.[29] The judge of the Court of Exchequer had no right to try a cause relative to a debt owed by one man to another, which, as I have before said, belonged to the Court of Common Pleas. But, by a legal fiction, the judge of the Court of Exchequer managed thus to get it into his own court: The creditor was allowed to plead, that is, to allege that he owed money to the King, and that he could not pay the King, unless he were paid the debt that was due to himself. Now, the Court of Exchequer had to do with all cases relative to money due to the King; and such a cause, therefore, was by this contrivance allowed to be tried in that court, if the complainant wished it. In like manner, the Court of King's Bench managed, by the following device, to extend its jurisdiction so as to try all civil cases—that is cases relative to rights of property, actions for debt, and so on. It was entitled to try such cases when the defendant was already a prisoner in the custody of the court for some offence within its

proper jurisdiction. The complainant therefore, who wished his cause to be tried in the Court of King's Bench, alleged that the defendant was in the custody of that court, though in fact he was not, and the court never inquired into the truth of the statement.

These contrivances were not put an end to until the reign of William the Fourth, when an Act of Parliament was passed giving direct jurisdiction in civil cases to the Courts of King's Bench and Exchequer, so that a private person may now bring his action in any one of these courts.

The Court of King's Bench has special exclusive Power.

The Court of King's Bench controls all other courts whatsoever,

But the Court of King's Bench, or, as of course it is now called, the Court of Queen's Bench, still has special exclusive powers, in certain cases. It keeps all inferior courts within the bounds of their authority, and may either order their proceedings to be removed for its own consideration, or, where they exceed their jurisdiction, stop their progress entirely.[53] Thus, if the Lord Mayor's Court, in the City of London, which is a borough court, or court for the recovery of debts within the city, were to attempt to try a case relative to property in land, the Court of King's Bench would stop the proceedings immediately, by a writ of prohibition. Or, if a cause which properly belonged to the Lord Mayor's Court, involved any important principle which might more conveniently be tried in a superior court, the Court of King's Bench would, by a writ of *certiorari*, (that is, by a writ commanding the inferior court to *certify*, or return the records of the cause before them) immediately remove the cause into its

own court, if either of the contending parties wish it. This court also controls all civil corporations, and compels magistrates and others to do what the law requires in every case where there is no other course prescribed.[53] Thus, if an Act of Parliament directed that some particular city should maintain in good repair a certain bridge, and the city neglected to do it, the Court of King's Bench would issue a writ called a *mandamus* (which means, we command), compelling the city to do what Parliament had required. Again, if some person, not duly elected as Lord Mayor, insisted on acting in that character, the Court of King's Bench would issue a writ called a *quo warranto* (which means, by what warrant or authority do you thus act?), to prevent his so doing.

and compels magistrates and others to do what the law requires.

All the courts of which I have now given you an account are called the Common Law Courts. Common law meant originally, the ancient unwritten law of the kingdom, grounded on the general customs of the realm, but it now also includes the laws founded on Acts of Parliament, and it has been defined, "the whole of that code, whether founded on statute, usage, or precedent, which is now administered in the Common Law Courts of Westminster Hall." This definition also comprehends the law administered in various local courts. Its peculiar characteristic is, that questions of fact arising out of its proceedings are submitted to the decision of a jury.[84]

Common law courts.

There were also inferior courts, called Manor Courts, or Courts Baron, which were principally for determining disputes relative to land. But they also frequently administered justice in general, civil, and criminal cases.

"The bishops, abbots, earls, king's thanes," and all

who possessed estates known by the name of manors, exercised, from the time of Edward the Confessor, a jurisdiction similar to that of the county and hundred courts. The judges were the free tenants of lands within the manor, and those who held lands of the manor, or who, as vassals of the lord, were bound to attend his court. Innumerable instances of persons having the right to hold these manor courts, with civil and criminal jurisdiction, are to be met with in Domesday Book and other documents of the Anglo-Saxon times, and in early Norman documents.[16] These courts have now fallen into almost entire disuse, and their primitive jurisdiction is restricted within very narrow limits.

Further Arrangements for Administration of Justice rendered necessary by the Superior Courts sitting at Westminster only.

Originally the King carried justice all over the kingdom.

We have now traced the history of the various courts of law, and we have seen that, originally, justice followed the King; that is, that in his progress through the kingdom, the King was attended by a council, which helped him to manage the affairs of state, and to administer justice. We have seen that, after a time, various courts of justice were separated from this council, and that instead of following the King over the country, they were fixed at Westminster. We must now see how justice was thenceforward administered throughout the kingdom. The county courts, hundred courts, and manor courts still existed, but the main administration of justice being at Westminster, it became necessary to take

other measures for distributing justice over the kingdom.

The Origin of Judges going on Circuit.

The principle of the English Constitution is, to bring justice home to every man's door.

Blackstone says "it was the policy of our ancient constitution to bring justice home to every man's door,"[63] but this could not be accomplished if justice was mainly administered at Westminster.

Itinerant Justices.

In accordance, therefore, with this principle, in the reign of Henry the First, Itinerant Justices, or Justices in Eyre (*justiciarii in itinere*, as they were called in Latin) were from time to time commissioned by the King, to go from county to county, to hold pleas, both civil and criminal. That is, to hear complaints of injuries or offences, as to wrongs done by one man to another in his property, or against his person. In the time of Henry the Second, this practice became constant. He divided the kingdom into six parts, "that chosen justices, called Itinerant Justices, might survey them, and restore to them the rights of which they had been deprived, appointing a proper number to each county."[29 29a] They were also to punish the guilty by fines or other punishments. They, however, made these circuits and cleared the gaols only once in seven years, until the time of King John, when it was provided by Magna Charta that they should make these circuits once in every year.

Henry the Second divided the kingdom into circuits.

Judges of Assize.

In the reign of Edward the First these itinerant justices became, under commissions issued by the Crown, Judges of Assize, that is, they held what we now call "the Assizes," at the various towns. The word Assizes is derived from a Norman-French word (*assises*, session) meaning to sit down together, because the judges held their "sittings" to administer

justice. They were also called Judges of "Nisi prius," the meaning of which term I must explain to you. It was still considered that Westminster was the proper place for the administration of justice, and these judges were said to be sent to try by a jury of the respective counties, the truth of such matters of fact as were then under dispute in the Courts at Westminster Hall.[65] All actions, that is, all proceedings at law for the redress of injuries, began by issuing a writ, and these writs always were, and still are, issued from the Courts at Westminster and are returnable there. That is, these causes would, in the common course of things, be tried at Westminster, in the court from which the writ issued, and whereto it should be returned, and they were therefore said to be matters under dispute in the Courts at Westminster. But it was provided that they should only be tried there *nisi prius*, that is, "unless previously" (for that is the meaning of these Latin words) to the day appointed for the trial, the Judges of Assize came into the county, where the matter "under dispute" originated, to try the cause.[66] A commission still issues from the crown, empowering the judges and a few other persons associated with them in the commission, to try causes in their circuits. These judges had also, and still have, what is called a general commission of gaol delivery. This gave them the power to try and deliver from prison everyone who might be in gaol when the judges arrived at the circuit town.

Judges of Nisi Prius.

Gaol delivery.

This practice is very properly described by Blackstone as one "of singular use and excellence."[67] In many foreign countries, even at the present day, men may be kept in prisons and dungeons for years, with-

out trial, and even without knowing of what they are accused. But by this practice the gaols are cleared, and all prisoners tried, punished, or delivered twice at least in every year, for these circuits are now made twice in each year, and sometimes oftener. The well-known, and most important act, called the Habeas Corpus Act, by which men detained anywhere against their will, are entitled to be brought before a judge, in order that he may decide whether they are detained in lawful custody, will be noticed in a subsequent lecture, as it was not passed until the reign of Charles the First.

The Judges of Assize, you thus see, go on these circuits instead of the Sovereign, and by virtue of the commission issued by the Sovereign they may be said to represent the Sovereign. They therefore are, and always have been, received in the counties with great state. They are attended by the high sheriff, accompanied, till lately, by javelin men, or men carrying javelins.

This is a sketch of the origin of our judges going on circuit and holding assizes in the present day.

Criminals, or breakers of the law or of the peace of the kingdom, are now, and for several centuries have been, in the first instance brought before the Justices of the Peace, or inferior magistrates; and, if there is considered to be sufficient evidence against them, the magistrates commit them to prison, where they remain until the judges come on circuit for the trial of all prisoners.

Justices of the Peace, or Magistrates.

Justices of the peace, as magistrates are properly termed, were first appointed in the reign of Edward the Third. There were, previously, officers appointed as wardens, or keepers of the peace; but in the reign

of Edward the Third the power of trying felonies was granted to them, and they then acquired the more honourable name of Justices. Justices of the peace, or magistrates, hold various sessions or sittings for the transaction of business, the principal of which are the Quarter Sessions, which must be held four times a-year. The powers granted to the Justices of the peace by Edward the Third are now somewhat diminished.[62]

Trial by Jury.

Guilty or not guilty.

I have now told you how our laws were made, and how they were put in force, by which you see whose duty it was to punish the guilty. But we have to examine next the very important question, "how is an accused man found to be guilty or innocent?"

In order to do this, I must endeavour to trace out the history of the Trial by Jury, a system of the highest value to a nation, with the possession of which for the trial of criminal cases, no country can be enslaved, and without which no country can be free.

Value of Trial by Jury depends on two great principles.

The value of trial by jury consists in two great principles. First, that the guilt or innocence of a prisoner is determined by a body of men, who have nothing to do with the infliction of the punishment, and not by the judge who awards the punishment, or by the officers appointed to carry the sentence into execution. And secondly, that those who decide on the guilt or innocence of a prisoner are his equals.

Origin of all institutions obscure.

The origin of almost all institutions is necessarily involved in some obscurity. It is like the sun-rising. It is impossible to fix any exact moment when the

darkness of night first begins to yield to the brightness of morning, and so it is with the origin of most of our institutions. They rose by degrees, from small beginnings. The necessities of some particular circumstance induced men to take a certain course. A similar circumstance occurred; the recollection of a former successful result of the course previously taken induced men again to take the same course. This at last became a constant habit in all similar cases, but, in cases differing slightly, a slightly different course was taken.

No exact time can be fixed when Trial by Jury began.

Thus Mr. Starkie, an eminent lawyer [33a], says, that no definite answer can be given to the question, "When did Trial by Jury begin?" and that it can be answered only by tracing the different steps by which it arrived at its present form. If we considered that the only peculiarity of Trial by Jury was, that those who pronounce the sentence should be distinct from those who carry the sentence into execution, we should come to the conclusion that Trial by Jury existed in the earliest Anglo-Saxon times.[48] For it is quite certain that in the hundred courts, of which I have told you, the assembled thanes, or lords, who pronounced the sentence, were quite distinct from the Eorl and Shire-gerefa, who carried the sentence into execution. But there is something more than this in the system of Trial by Jury, viz., that those who pronounce the verdict shall be the prisoner's equals, and this great and most valuable principle of the whole system of English law is nowhere distinctly recognised until the granting of Magna Charta. I believe that when that great bulwark of our freedom was granted, Trial by Jury was distinctly recognised, although it was, even then, not quite in the form in

Those who pronounce the verdict must be the prisoner's equals,

first established by Magna Charta.

which it now exists. I will, however, endeavour to track out the progress of this system of trial from the earliest time at which we can find any trace of it.

Two Kinds of Juries.

Grand Jury and Common Jury.

I must begin by reminding you that, as you probably know, there are, in criminal cases, two kinds of juries, the Grand Jury, and the Common Jury. It is the business of the Grand Jury to say whether there is sufficient ground for sending a prisoner to trial at all, but it is the business of the Common Jury to say, when the trial comes, whether a man is guilty or innocent. The origin of the Grand Jury is clearer than that of the Common Jury. The Grand Jury can be distinctly traced in the reign of Ethelred the Unready, son of Edgar, and great-grandson of Alfred.

Grand Jury existed about A.D. 978.

This was about the year A.D. 1000, or above 800 years ago. In Ethelred's code of laws, it is ordained, that, at the assemblage of the hundred courts, "the twelve eldest thanes shall go out, and the shire-reeve with them, and shall swear on the relic that is given to them in hand, that they will accuse no innocent man, nor conceal any guilty one."[73] This seems to be, in principle, the Grand Jury of our days, which is in substance a kind of inquest or inquiry into the state of crime of the district, for the purpose of referring to trial such cases as, upon inquiry, appear to require that more solemn and practical method of investigation.

But the origin of trial by Common Jury is not so easy to make out. When the twelve thanes returned to the rest of the body, the whole body of thanes,

after taking their solemn oath, proceeded with their examination of the prisoners. Now you will recollect that I told you that the system on which they proceeded was like our modern system thus far, viz., that the thanes who pronounced the sentence were distinct from the officer who put the sentence in execution. But even thus far there was in the proceedings an important difference from the Trial by Jury of the present day. The thanes gave their verdict according to their own personal knowledge of the facts of a case, and they decided only according to their own knowledge. But the modern jurymen give their verdict only according to the evidence of witnesses brought before them, and they are most solemnly exhorted by the judge to dismiss from their minds any knowledge of the case brought before them which they may happen to have previously possessed, and any opinion which they may thence have formed relative to it. We must therefore reach a later period of our history before we can say that the modern system of Trial by Jury was established.

The thanes who pronounced the sentence were distinct from the sheriff who executed it; but they decided according to their own knowledge, and not according to the knowledge of witnesses distinct from themselves.

The Institutions of the Anglo-Saxons promoted Personal Knowledge of Facts occurring in each District.

The system of Frank-pledge.

In order to carry you on to the next step I must remind you of that curious system, called Frank-pledge, which I very fully described to you in my last lecture. You will remember that according to this system, if an offence was committed in a tything, or district in which ten families dwelt, all the men of the tything were answerable for it, unless they could bring the offender to justice. Even now,

in certain cases where property is destroyed by the violence of lawless persons, whom the officers of the law have failed to restrain, the hundred, in which the crime is committed, is bound to compensate the injured person for the damage done to his property.

The modern system of entering into recognizances, or making suspected persons find particular and special securities for their future conduct, is very ancient, and came into use as the system of Frank-pledge went out of use.

In those days, also, there were many difficulties in the way of a man moving about from one place to another. The thanes of the neighbourhood were therefore likely to know everything connected with any offence committed in their district.

When the system of Frank-pledge was given up, witnesses became necessary.

But, after a time, this system of Frank-pledge gradually decayed, and it then became necessary that the thanes should hear from others the facts relative to any particular offence. This was one step towards the modern system of witnesses.[49]

This imperfect Trial by Jury was applied only to Civil and not to Criminal Cases.

The system of the thanes deciding as to an offence according to their own knowledge, or that of others, was applied principally, or entirely, to cases in which the title to landed property was concerned. In cases of crime, such as robbery, or murder, the thanes adopted another and very remarkable system. In these cases a prisoner was tried by Compurgation, or by Ordeal, or by Battle.

In the Trial by Compurgation, so called from a Latin word, meaning to clear or purify, the accused

Trial by Compurgation.

was bound to clear himself by producing neighbours to swear to their belief of his innocence. The value of the oaths was estimated by the worth of those who made them in the Anglo-Saxon scale of persons; that is, according to the amount to be paid if they were murdered. The number of oaths was reckoned up. If the accused produced the number required by the law, he was set free; if not, the thanes who looked on pronounced him guilty.[50]

Trial by Battle.

The Trial by Battle was used only in simple cases of one man demanding justice against another. In this

Ordeal Combat, or Trial by Battle. (Royal MSS., 14 E. III.)

form of trial, the justice or innocence of the accused was determined by single combat. It is a remarkable fact, that the trial by battle, though long disused, was not formally abolished until the fifty-ninth year of the reign of George the Third, that is, in 1819.

Trial by Ordeal.

The Trial by Ordeal was of a singular, and indeed impious nature. It was founded on the idea that Providence would interfere to protect an innocent man, and would enable him to bear, without hurt,

some extraordinary suffering; and that, therefore, by the infliction of suffering greater than a man could naturally bear, you could compel the interposition of Providence.

"The ordeal was considered a religious ceremony, and was of several kinds. The two principal were by water and iron; by water hot or cold, and by hot iron. The person, the water, and the iron were prepared under the direction of the priest by exorcisms and other formalities, and the whole conducted with great solemnity. For three days before the trial the culprit was to attend the priest, to be constant at mass, to make his offering, and in the meantime to sustain himself on nothing but bread, salt, water, and onions. On the day of trial he was to take the sacrament and swear that he was not guilty of or privy to the crime imputed to him. The accuser and accused were to come to the place of trial attended with not more than twelve persons each.

"The accuser was then to renew his charge upon oath, and the accused to proceed in making his purgation. If it was by hot water, he was to put his hand into it or his whole arm, according to the degree of the offence; if it was by cold water, his thumbs were tied to his toes, and in this posture he was thrown into it. If he escaped unhurt by the boiling water, which might easily be contrived by the art of the priests, or if he sunk in the cold water, which would certainly happen, he was declared innocent. If he was hurt by the boiling water, or swam in the cold, he was considered as guilty.

"If the trial was to be by the hot iron, his hand was first sprinkled with holy water; then taking the

iron in his hand, he walked nine feet. The method of taking his steps was particularly and curiously appointed. At the end of the stated distance he threw down the iron and hastened to the altar; then his hand was bound up for three days, at the end of which time it was to be opened; and from the appearance of any hurt or not, he was declared in the former case guilty, and in the latter acquitted. Another method of applying this trial by hot iron was by placing red hot ploughshares at certain distances and requiring the delinquent to walk over them, which, if he performed unhurt, was considered as a proof of his innocence.

"These trials by water and fire were called Judicia Dei, or the Judgments of God." [93]

These are only some of the many and very curious forms of ordeal. The thanes looked on, and gave their verdict according to the behaviour of the prisoner. It is obvious that this was a most unsatisfactory mode of determining a man's guilt or innocence, and it led to great trickery and imposture. Nevertheless it continued in practice for many years.

Trial by Twelve sworn Knights first introduced by Henry the Second.

In the reign of Henry the Second Trial by Jury was further advanced.

In the reign of Henry the Second the Trial by Jury was advanced one step further, but only as regards matters relating to landed property. It was then settled that such matters should be tried by twelve sworn knights. This was considered a great privilege, and was extended to criminals on payment of a certain sum of money to the King.[51, 52] Here we have the Trial by Jury, but not the trial by equals; and the

Trial by Jury, such as it then was, was limited in criminal cases to those who could afford to pay for such a luxury. For the others, Trial by Ordeal was adopted, but after a time that system of trial was forbidden, and in the year A.D. 1215, the year before the granting of the Great Charter, it was formally abolished. Trial by Compurgation had been done away with by the Normans soon after their arrival, and Trial by Battle was suited to peculiar cases only. The Trial by Jury, therefore, as established by Henry the Second, became general in criminal as well as other cases.

Trial by Jury at length fully established by Magna Charta.

At last it was provided by the Magna Charta granted by King John, that no man should be condemned but by the lawful judgment of his peers or equals. In the words of Magna Charta, it was enacted that "no freeman shall be taken or imprisoned, or disseised, or outlawed, or banished, or any ways destroyed, nor will we pass upon him, nor will we send upon him, unless by the lawful judgment of his peers, or by the law of the land." Here the great principle of Trial by Jury is distinctly recognised. It is not exactly the modern system, for it does not appear that witnesses were at that time brought before the juries, and there is no distinct evidence of such being the practice for two hundred years afterwards.[48] Nevertheless the two great principles on which the system rested, viz., first, the separation of the jury from the judge, and secondly, the pronouncing the guilt or innocence of the prisoner by the verdict of his equals, were established at the time that the Magna Charta was granted, and it is unnecessary in the present place to trace the history of the changes until it arrived exactly at its present form.

I cannot, however, leave the subject of Trial by Jury, without again expressing my opinion of its value, particularly in criminal cases, and summing up its special advantages. It secures, as far as is possible, an honest verdict, it educates the people in the laws of the country, it compels a judge to attend carefully to a trial, as he has to sum up all the facts to the jury, and it renders impossible the corruption or despotism of a judge.

Court of Chancery.

Court of Chancery tempers the severity of common law, and prevents the commission of injuries.

There is another court, and, indeed, another branch of law, and one of the utmost importance, of which you have not yet heard. It is a court to temper the severity of the rules of law administered by other courts[33], and while the object of the other courts is to give redress for offences or injuries committed, one principal object of this court is to prevent the commission of such offences or injuries. So great was the respect paid to this court, that, in ancient times, it was considered by the humbler classes, and by the oppressed generally, that the head of this court had the power of giving redress for every kind of injury and injustice, whether the Common Law provided a remedy or not.[38]

This high and mighty court was called the Court of Chancery; and I must now endeavour to trace out how this great court arose, and when it obtained its high powers.

Origin of the Court of Chancery.

The King appointed a secretary,

In the earliest times of our history, as I have told you, the King personally was applied to for the

redress of injuries. It was impossible for the King himself to attend to all such applications. Consequently he appointed wise men under him to look to them. But still, it was necessary for the King to have a secretary to assist him in bringing these complaints under the notice of the wise men, and in other matters of business.[106] Writs (that is, *written* precepts or orders) also had to be issued summoning the adversary, against whom the complaint was made, to appear before the wise men, and forms were adopted to be used in like cases. An office, or chamber, in which such business should be transacted, also was necessary. The office was called The Chancery, and the secretary was called The Chancellor. The name of Chancery was given to this office, because the Secretary, who sat in the office, had his seat in a kind of inner chamber, divided from the rest of the office by a sort of lattice work, called in Latin *cancelli*, from which the word "chancery" is derived. The chancel of a church is derived from the same word, and is applied to a part of the church which is railed off. It is supposed by some, that the word "chancellor" is derived from another Latin word meaning to cancel, because the Chancellor sometimes cancelled the proceedings of other courts. But inasmuch as the secretary was called a Chancellor before the Lord Chancellor performed such duties, it seems clear that the derivation of the name from the place where he sat is the correct one. But, whatever may have been the derivation of the name, the King had a secretary, who was called a Chancellor. Without attempting to trace the existence of a Chancellor up to a more remote time, it is certain that the Anglo-Saxon monarchs, from Ethelbert downwards, had

whose office was called The Chancery,

and hence the secretary was called a Chancellor.

Anglo-Saxon Kings had Chancellors.

The Chancellor originally was always a priest.

such an officer.[54] The secretary or Chancellor, at first, was always a dignitary of the church. When the Anglo-Saxons were converted to Christianity by St. Augustine, in the reign of King Ethelbert, the King had his own chapel and his own priest, who was always near his person, who acted as his confessor, and who took care of his chapel.[55] This person was undoubtedly much better educated than the Anglo-Saxon laymen who attended on the King. On the conversion of Ethelbert, he probably selected as his priest one of the Italian missionaries who came over with St. Augustine, and who must have possessed much more knowledge than the Anglo-Saxons. The priest being constantly near his person, and being a well-educated man, naturally acquired the King's confidence, and we find that the King made him his secretary, and not only employed him in matters of common business, but consulted him in matters of state. I have told you in what way this secretary came to be called Chancellor. Now, the Chancellor, or priest-secretary, being the King's confessor, became the keeper of the King's conscience, and, although the Chancellor is not now a priest, nor has been since Cardinal Wolsey, he is still to the present day called the keeper of the King's conscience.

The Chancellor became the Keeper of the King's conscience.

He thus became the Judge of the Court of Chancery.

The fact of the Chancellor being the keeper of the King's conscience, led to his being made the judge of this Court of Chancery, the object of which was, as I have told you, to soften the severity of the law, which in early ages was too rude and clumsy to be applied to all cases of wrong which needed a remedy. In very early times the King himself had the power of mitigating the severity of the law, for we find in the Laws of King Edgar, "If the law be too heavy,

let him seek a mitigation of it from the King."[71] It was always a maxim that the King could not intentionally do any wrong, and that therefore if any of his subjects suffered wrong from being unable to obtain justice in the courts of law, the King, if he only knew of this, would set the wrong to rights.[64] The Chancellor, consequently, as keeper of the King's conscience, was bound to see that the King did no wrong, or if inadvertently he did wrong, the Chancellor advised him how to act, or acted for him.

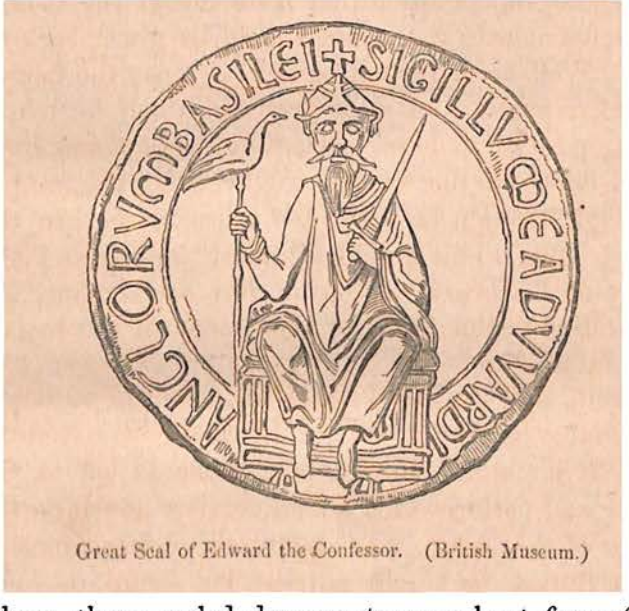
The Law administered in the Court of Chancery is founded on the Roman Law.

As the Lord Chancellor was almost always, for several centuries, an ecclesiastic, he was well versed in the principles of the Roman law, which then formed a leading subject of study with the clergy. The Roman Empire, which so long governed the world, reached a high state of civilisation, and gradually perfected an elaborate and enlightened system of law, which is contained in books which have come down to our times. This system, which is called the Civil Law, in contradistinction to the Common Law (which I have already explained to you), is superior in many respects to the ruder and more imperfect laws of our ancestors, and from it the Chancellors mainly drew the principles which they applied with great success to regulate those transactions between man and man which could not, consistently with justice, be settled by the rules of the Common Law of the realm. The Roman system of equitable jurisprudence is mainly therefore the foundation of the law administered in the Court of Chancery.

Civil Law founded on Roman Law.

The Great Seal.

The Chancellor was also the keeper of the King's seal. The writs issued in the King's name by the Chancellor were usually signed, but the art of writing was not common at that time, and therefore seals were often used instead. The King, following the custom of the times, adopted a seal, which was called the Great Seal. The King's chapel was the place



Great Seal of Edward the Confessor. (British Museum.)

where these sealed documents were kept for safety, and the Chancellor, as keeper of the chapel and issuer of the writs, had charge of the seal. This seal was used as early as the reign of Edgar, Alfred's grandson, and the Lord Chancellor is Keeper of the Great Seal to the present day. The mere delivery of this seal to him by the sovereign, constitutes him Lord Chancellor.

Great Seal held by the Chancellor.

Examples of Remedies provided by Court of Chancery.

I have told you that one of the principal objects of the Court of Chancery, was to temper the rigour and severity of the other courts of law. It was found that the strict law, as administered in the other courts, was not always in complete accordance with justice. Suppose, for instance, the owner of an estate should borrow money on it, and give up his estate to the lender, on condition that if he repaid the money in twelve months the estate should be given back to him. Well, he might not be able to repay the money in twelve months, but in a year and a half he might be in a position to do so. According to Common Law, the lender of the money might keep the estate, although it might be worth ten times more than the money lent. This would be most unjust, and the Court of Chancery would interfere and compel the restoration of the estate on repayment of the money with interest.

The Court of Chancery enforces the spirit rather than the letter of the law.

Again, suppose, in old times, the owner of an estate was going to the Crusades. It would be necessary that, in his absence, some person should act as the owner and perform such feudal services as fell on the owner of the estate. To secure the performance of these duties, he might entrust his estate to some friend, and convey it to him on the promise that it should be restored to him on his return. If his friend proved false and would not give back the estate, the Courts of Common Law afforded no redress, but the Court of Chancery enforced the trust and compelled the restoration of the estate to the rightful owner.

But I have told you that the Court of Chancery also interfered to prevent the commission of an injury.

Court of Chancery prevents

commission of injuries.

Let us suppose, for instance, that I learned that one of my neighbours was beginning to erect close to my dwelling a manufactory of some unhealthy and offensive nature that would be a nuisance. Instead of waiting until he had done it, I should at once apply to the Court of Chancery, and the Lord Chancellor would issue an injunction, and thus restrain the further building of the manufactory if I could make good my complaint. If I were to wait till the building was completed and at work, I could then get damages for the nuisance in a Court of Common Law, but that would be no compensation to me, and therefore this power of the Court of Chancery is of the utmost value.

Undermining a house, changing the course of a stream, digging a mine under another man's land, are similar injuries which the Court of Chancery would prevent.

The changes in the duties of the Chancellor were so gradual, that it is difficult to say when the Court of Chancery became a separate and distinct court, but it seems that it was not till the end of the reign of Henry the Third that the supremacy of the office was established.[56] It is not my intention at present to trace the changes of the Court of Chancery beyond this period, as it will find a more appropriate place as we advance in the history, and when I treat of the improvement of our laws, which, I have told you, I shall do at a future time.

The Ecclesiastical Courts and Doctors' Commons.

History of the laws relative to the clergy.

There is still one other, and that a most important branch of law, the consideration of which is necessary

to complete our survey of the origin of English law. I mean the Canon Law, according to which, the laws relating to Church and Spiritual matters are administered, and which were originally administered by the clergy themselves. The Canon Law.

The courts in which this law is administered owe their origin, in this country, to an enactment of William the Conqueror; but, in order to understand the way in which they sprang into existence, we must study the History of similar Courts on the Continent of Europe.

"From the commencement of Christianity, its professors had been exhorted to withdraw their differences from the cognisance of profane tribunals, and to submit them to the paternal authority of their bishops. The Emperor Constantine and his successors, appointed the bishops as the general arbitrators within their respective dioceses; and the officers of justice were compelled to execute their decisions without delay or appeal. At first the consent of both parties was requisite to authorise the interference of the spiritual judge, but the Emperor Theodosius gave either party the power to take his cause from the jurisdiction of the civil magistrate and transfer it to that of the spiritual judge." The laity were thus permitted to choose the spiritual, or ecclesiastical court, for the redress of injuries, but "the clergy were compelled to accept of the bishop as their judge." [76, 77] On the continent of Europe the laity were exhorted to submit to the Ecclesiastical Courts.

At these courts, or synods, "matters relative to church government, and disputes between the clergy as to their civil rights, were settled and determined. All offences against Christianity, also, whether committed by the clergy or by the laity, were settled at these courts. Questions as to marriage and divorce At these courts spiritual matters and questions as to marriage and as to wills were settled.

were universally admitted to be matters belonging entirely to the Church, and were consequently brought before these synods, and matters relative to wills also came under their cognisance." [19, 20] Such was the practice on the continent of Europe, but in England, "as it was the duty of the bishop to sit with the sheriff, in the court of the county, his ecclesiastical became blended with his secular jurisdiction, and many causes, which in other countries had been reserved to the spiritual judge, were decided in England before a mixed tribunal." [78]

Clergy joined with the laity in law matters in England from the earliest times.

You will remember I told you that it was the practice in England, from the earliest times, to join the clergy with the thanes in the courts of law. This practice appears to me to have been very beneficial. On the one hand, it secured the assistance of a body of the best educated men of the time, in the administration of the law, and, on the other, it prevented the clergy from being separated from all temporal matters, and thus dissevered from their flocks in all but spiritual concerns.

William the Conqueror separated the ecclesiastical from the civil jurisdiction,

When William the Conqueror became King of England, "he directed that no bishop or archdeacon should for the future hear complaints *relative to church matters* in the county or hundred court, but that all such pleas should be determined before the bishop, wheresoever he should appoint, according to the canon and ecclesiastical laws, and forbad all laymen from interfering in such matters. To this ordinance the civil jurisdiction of the ecclesiastical courts which now exist throughout the kingdom owes its origin." [25, 26] Church *matters* were thus administered in a separate court, but it was not long before an attempt was made to withdraw church *men*,

and thus our ecclesiastical courts began.

or priests, in a like manner from lay tribunals, as we shall presently see.

This separation of jurisdiction over ecclesiastical matters from the civil courts was the cause of constant disputes between the Kings and the Popes, and between the clergy and the laity. In considering these important events, it is well to remember that all England was then Roman Catholic, and that it was Roman Catholic kings of England, and a Roman Catholic laity, who disputed the usurpations of the Pope and the Roman Catholic clergy.

Consequences of dividing the Temporal and Spiritual Courts.

"When the spiritual court was once divided from the temporal, different principles and maxims began to prevail in that tribunal. The bishop," who was the head of the Spiritual Court, "thought it no ways unsuitable that subjects of a different nature from those concerning which the temporal courts decided should be adjudged by different laws." He therefore introduced the Canon Law, according to which the law in the spiritual courts on the continent of Europe was administered, and which was so called, because it was there called the *Codex Canonum vetus Ecclesiæ Romanæ*, or ancient code of the canons (or rules) of the Roman Church. It is probable that these ancient canons originally were not so prejudicial to the rights of the sovereign and the state. They were introduced into this country by permission of the government, and it seemed expedient so to do. The existence of a church with various grades of ministers seemed to demand a special system of law. But the body of canon law soon exceeded all reasonable bounds. "Instead of confining their regulations to sacred things, the canonists laid down rules for the ordering of all matters of a different nature, whether

civil or criminal. The buying and selling of land, leasing, mortgaging, the prosecution and punishment of murder, theft, and many other objects of temporal judicature, are provided for by the canon law; by which, and by which alone, it was meant that the clergy should be governed as a distinct people from the laity."[93a]

An attempt was made to withdraw the clergy from the jurisdiction of the Temporal Courts.

"The Emperor Constantine had thought that the irregularities of an order of men, devoted to the affairs of religion, should be veiled from the scrutinising eye of the people. With this view, he granted to each bishop, if he were accused of violating the law, the liberty of being tried by his own colleagues; and moreover invested him with a criminal jurisdiction over his own clergy." [77]

"The Canon Law was founded on the Roman civil law, and could not exist without it[93b], and the study of the civil law was, in the time of the Normans and their immediate successors, almost confined to the clergy. Thus armed with an almost exclusive knowledge of these elaborate systems of law, the clergy ventured to encounter the established authority of municipal law, whose dictates were very opposite to their schemes of ecclesiastical sovereignty."[93c]

"In the reign of Stephen a very complete collection of Canon Law was made, containing many extravagant opinions, all tending to exalt the clerical state, and exempt the clergy from secular law.[93e] Lectures on the subject were delivered at Oxford, and Stephen, alarmed at the danger of such doctrines, forbad the reading of books on Canon Law, but the clergy disregarded the prohibition. Among the doctrines thus set forth, it was laid down,—that any custom against the decree of a Pope is void; that all men must obey

the Pope's commands. It is made an anathema to sue a clergyman before a lay judge; if a lay judge condemn a priest he is to be excommunicated; a layman cannot give evidence against a priest; and so on. Till these doctrines prevailed the separation of the temporal and ecclesiastical courts was not of much importance. But the church proceeded from one step to another in their attempts at encroachment on the power of the king. Among other matters the clergy tried to obtain control over presentments to benefices or livings. These were originally private grants to those who performed religious duties, and were originally in the sole disposal of the grantor. This occasioned a long contest, but at length King John was obliged to yield to the extent of granting that lay patrons should be obliged to present the priests, whom they appointed, to the bishop who gave them institution. [93f]

And to obtain the right of presentments to livings.

"The Pope claimed a like method of filling vacant bishoprics, but for a long time the spirited resistance of our kings defeated his attempts. Bishops held their lands of the king as baronies, according to the Feudal System, and were indeed, as they still are, Barons. The bishops received *investiture* of those lands, and did *homage* to the King for them. Henry the First found it expedient to yield to the pope and give up the *investiture*, but retaining the *homage*. King John gave up to the cathedrals and monasteries the right of electing their prelates, reserving to himself the form of granting a licence to elect, but providing that, if he refused the licence, the electors might proceed without it. He also reserved the possession and use of the estates during a vacancy." [93g] They were held of him, and if his tenant died they

The Pope tried to obtain the right of filling vacant bishoprics.

of course reverted to him. "Contests on these matters between church and king went on continually, till at length Henry the Second enacted, by his parliament, a settlement of the points in dispute. This enactment was called "The Constitutions of Clarendon." By this it was provided, among other matters, that priests accused of any crime, of which the secular courts took notice, should be tried by those courts; that the consent of the king was necessary to the filling up of any benefice, and that, during a vacancy, the king should receive the rents *as of his demesne.* The pope objected to these enactments, and Henry, struck with a panic of superstition and remorse for the murder of Becket, refrained from putting them in force. He wrote to the pope and stated that "notwithstanding the opposition of the greatest and wisest men of the kingdom, he had yielded amongst other things, that no priest should be brought before a secular judge for any crime except an offence against the forest laws." Still the Constitutions of Clarendon remained in force, although Henry feared to put them in force.[93h]

Constitutions of Clarendon.

It is unnecessary, in this place, further to pursue the history of the quarrels between the king and the church, but I have thought it necessary to introduce this notice of them, in order to explain the extent to which it was attempted to extend the Canon Law.

From this time the Ecclesiastical Courts had jurisdiction over wills, marriage and divorce, and all spiritual matters.

The Ecclesiastical Courts administered the law relating to Wills.

"Questions as to the validity of wills of real and personal estate were of a nature that might well be decided on at the county, hundred, or manor courts, but, on the separation of the ecclesiastical from the civil jurisdiction, the bishops carried with them the

jurisdiction as to wills and intestacy, so far as regards personal estate."[20] Real property, that is, landed property, could not be left by will, so long as the Feudal System lasted, as land could not be transferred from one person to another without actual delivery, which could not take place after the death of the testator.[34]

"The clergy, from the first, claimed, and it was expressly conceded by Richard the First to the Norman clergy, that all questions of breach of faith, and of oaths," which perhaps were considered to be spiritual matters, "should be tried before the ecclesiastical tribunals; but, by the Constitutions of Clarendon, the ecclesiastical courts were altogether restrained from meddling with all questions of breach of faith or trust, arising between laymen, in regard to civil matters. Questions relating to marriage and wills, including money agreed to be paid on marriage and legacies, as well as all matters merely spiritual, were left to the cognisance of the ecclesiastical courts. The probate of wills of personal estate has, ever since the separation of the cognisance of ecclesiastical matters from the county court, belonged to the ecclesiastical courts."[30]

The clergy retained jurisdiction over marriage, and spiritual concerns.

The jurisdiction of the ecclesiastical courts has long ceased to be under the control of the clergy, but it was thus that they came to have the control over all matters relative to church discipline, marriage, divorce and wills. By recent statutes (20 & 21 Vic. cap. 77. and cap. 85.) the jurisdiction of the Ecclesiastical Courts over matters relating to wills and to marriage and divorce, has been taken away, and two new courts of the Queen have been created; one the Court of Probate, and the other the Court for Divorce and Matrimonial Causes. Thus these matters which were

for so many centuries treated in this country as ecclesiastical, have at last been transferred to temporal courts as more properly belonging to their jurisdiction.

Having now given an account of *the system* of law administered by the Ecclesiastical Courts, it may be interesting to give an account of *the place* where the law is administered.

An English bishop had spiritual jurisdiction over his whole diocese, and there was in every diocese a court held before the official principal of the bishop. Besides these there were courts of the archbishops. The highest court of the kind was the Court of Arches, which was known by that name long before the time of Henry the Second. It was so called from Bow Church, which was designated Sancta Maria de Arcubus, or St. Mary of the Arches, in which the court was holden. For a long time the lawyers, or advocates, who practised in this Court mixed with and lived among the general mass of the people. But in the beginning of the reign of Henry the Eighth, they agreed to dwell together in contiguous houses, and enjoy a community of board, or commons. Their place of abode was then called the College of Doctors and Advocates. They imitated college life in providing that, although the Advocates might be married, their wives could not reside in the college. In 1568, the Dean of the Arches took a lease of Montjoy House, and other buildings in the parish of St. Bennett, Paul's Wharf, and the court over which he presided, viz., the Prerogative Court of Canterbury, together with the Admiralty Court (of which I shall give an account), were thenceforward holden there, and the whole place was called Doctors' Commons.[107]

Doctors' Commons.

Court of Admiralty.

The administration of the law in all matters concerning crimes or injuries committed on the sea, is practised by the Court of Admiralty, which, for reasons I will presently explain, holds its sittings in Doctors' Commons. Admiralty Court.

The Admiralty Court is a court of very high antiquity. It has been distinctly traced as far back as the reign of Edward the First, and there is strong probability of its existence in the reign of Richard the First. This prince stands very high in the history of maritime jurisprudence. On his return from the Holy Land, while he was in the island of Oleron on the coast of France, he compiled a body of maritime laws, which has thence been called 'The Laws of Oleron.'" [94] This has always been deemed the foundation of the laws of the Court of Admiralty.

The forms of its proceedings were borrowed from the civil law, and the advocates in this court were doctors in the civil law, from whence the connection of this court with the Ecclesiastical Courts in Doctors' Commons may easily be traced.

CONCLUSION.

From the sketch thus given of the history of the origin of our laws and courts of justice, it will be seen that in the early Saxon times, the system attempted was to embody the whole of the written law of the The Saxons tried to embody their laws in complete Codes.

kingdom into a complete code of laws. This was a humble imitation of what had before been done with great success by some of the Roman emperors, particularly Justinian; but our Saxon codes were rude in their construction, and meagre in their provisions, and they were therefore incapable of being applied to many cases which arose as society became more civilised, and its transactions more complicated.

In modern times this has not been attempted.

From the time of the Norman conquest no attempt has been made to form a code of the English laws, but Acts of Parliament have been passed from time to time when experience showed that some improvement in the existing laws was necessary. Our statute law, which is composed of such of these Acts of Parliament as remain unrepealed, and our unwritten common law as expounded by the Judges, and the system of equitable jurisprudence, which has in course of time been elaborated by a long series of judicial decisions in the Court of Chancery, now constitute what may be called the raw materials of English law; but these are of such an undefined and complex nature, and so scattered, that only those persons who have made law the study of their lives can profess to be acquainted with all the details, or understand how to apply legal principles to any but the simplest cases.

It is therefore difficult to study our System of Law as a whole.

Many persons think our Laws ought to be formed into a Code.

No man, however, is permitted by our Courts of Justice to excuse himself on the ground of ignorance of the law of his country, and it has therefore been contended by many persons that our laws ought, after the practice of the ancient Romans, and our Saxon ancestors, and most of the modern continental states, to be reduced within the compass of a code which may be read and referred to by any one who wishes to know what the laws are, which he is bound

to obey. Some steps have been taken in recent legislation, which may be considered as preliminary to this desirable result, and several Acts of Parliament have already been passed for consolidating into one statute all former Acts relating to the same subject matter. This has been accomplished with much success with regard to the criminal law, which is almost wholly composed of statutory enactments, and we may expect some day to see even our unwritten common law, and our system of equitable jurisprudence, dealt with in the same manner, though the difficulties to be encountered there will necessarily be far greater. The attention, however, of some of our most eminent lawyers and statesmen is now directed to the task, and there can be no doubt that efforts will be made to surmount all obstacles.

This has been accomplished in Criminal Law.

It has been the destiny of the British nation to found colonies in every quarter of the globe, and to spread its laws and institutions over an empire on which the sun never sets. To the inhabitants of those colonies, no more munificent boon could be given by the parent country, than a complete compendium of its laws embodied in a Code. It has been said of Bonaparte, that he will be known to posterity by his Code Napoleon when his victories are forgotten. We may also, as Englishmen, express our hope, that when the colonies which we have planted have become great and independent states, they will have to reckon among their obligations to England, not only their Anglo-Saxon blood and lineage, and the noble language of Milton and Shakspeare, but also a Code of Laws more complete in its provisions, and more enlightened in its principles, than any which the world has yet seen.

A complete Code of English Law would be of great value.

NOTES.

The following list of references is not given as a list of original authorities, but solely as a reference to the authors whom I have quoted, and on whom I have relied. I have given them, partly to enable those who wish to do so to verify my quotations, and test my accuracy, and partly as a guide to those who wish to study the subject more fully.

The Equitable Jurisdiction of the Court of Chancery; comprising its Rise, Progress, and Final Establishment, &c. &c. By GEORGE SPENCE, Esq., one of Her Majesty's Counsel. 2 vols. 8vo. London, 1846—1849.

[1] Vol. I. p. 8.
[2] " 9.
[3] " 10.
[4] " 11.
[5] " 11. *note f.*
[6] " 12.
[7] " 18.
[8] " 18. *note m.*
[9] " 22.
[10] " 22. *note d.*
[11] " 35.
[12] " 41.
[13] " 58.
[14] " 60.
[15] " 61.
[16] " 63.
[17] Vol. I. p. 71.
[18] " 73.
[19] " 82.
[20] " 83.
[21] " 90.
[22] " 94.
[23] " 95.
[24] " 100.
[25] " 101.
[26] " 102. (note.)
[27] " 111.
[28] " 113.
[29] " 114.
[29a] " 115.
[30] " 117.
[31] Vol. I. p. 120. (quotation from Bracton.)
[32] " 121. *note d.* (quotation from Sir H. Seton.)
[33] " 127.
[33a] " 130. (quotation from Mr. Starkie.)
[34] " 136.
[34a] " 137.
[35] " 138.
[36] " 328.
[37] " 329.
[38] " 686.

The Rise and Progress of the English Constitution. By E. S. CREASY, M.A. Barrister at Law. Fourth Edition, 12mo. London, 1858.

[39] Page 43.
[40] " 45.
[41] " 48.
[42] " 49.
[43] " 94.
[44] Page 185.
[44a] " 189.
[45] " 191.
[46] " 192.
[47] " 193.
[48] Page 209.
[49] " 210.
[50] " 215.
[51] " 219.
[52] " 220.

How we are Governed. By ALBANY FONBLANQUE, Jun., Esq., of the Middle Temple, Barrister-at-Law. Fcp. 8vo. London, 1859.

[53] p. 149.

LORD CAMPBELL'S *Lives of the Chancellors.* Fourth Edition, in 10 vols. fcp. 8vo. 1856.

[54] Vol. I. p. 3. [55] p. 4. [56] p. 5.

Sir JAMES MACKINTOSH'S *History of England.* 2 vols. 8vo. London, 1853.

[57] Vol. p. 118.

Blackstone, Edited by HENRY JOHN STEPHEN, Serjeant at Law. 4 vols. 8vo. London, 1841—1845.

[58] Vol. I. p. 167.
[59] „ 168.
[59a] „ 174.
[60] „ 202.
[61] Vol. II. p. 49.
[62] Vol. III. p. 39.
[63] „ 390.
[64] „ 409.
[65] Vol. III. p. 422.
[66] „ 424.
[67] Vol. IV. p. 334.

Ancient Laws and Institutes of England. Edited by B. THORPE, 2 vols. royal 8vo. London, 1840.

[68] Vol. I. p. 159.
[69] „ 179.
[70] „ 191.
[70a] Vol. I. p. 201.
[71] „ 267.
[72] „ 269.
[73] Vol. I. p. 295.
[73a] „ 299.
[74] „ 415.

LINGARD'S *History of England.* 13 vols. fcp. 8vo. London, 1844—1855.

[74a] Vol. II. p. 45.
[75] „ 51.
[76] Vol. II. p. 207.
[77] „ 208.
[78] Vol. II. p. 209.
[79] Vol. III. p. 51.

The Lord and the Vassal. By Sir FRANCIS PALGRAVE. Fcp. 8vo. London, 1844.

[80] p. 25. [81] p. 126. [82] p. 127.

BRANDE'S *Dictionary of Science, Literature, and Art.* Third Edition, 8vo. London, 1853.

[83] p. 96. [84] p. 646.

The State of the Poor; or, a History of the Labouring Classes in England. By Sir FREDERIC MORTON EDEN, Bart., 3 vols. 4to. 1797.

[85] Vol. I. p. 7.

A Practical Treatise on the Laws, Privileges, Proceedings, and Usage of Parliament. By THOS. ERSKINE MAY, Esq., of the Middle Temple, Barrister-at-Law, &c. &c. Third edition, 8vo. 1855.

[86] p. 20. [87] p. 21. [88] p. 23. [89] p. 24.

The History and Antiquities of the Exchequer of the Kings of England. By THOMAS MADOX, Esq. 2 vols. 4to. 2nd edition, 1769.

[90] Vol. I. pp. 161 and 191. [91] p. 2. [92] p. 6.

History of the English Law. By JOHN REEVES, Esq., Barrister at Law. Second edition, in 4 vols. 8vo. 1787.

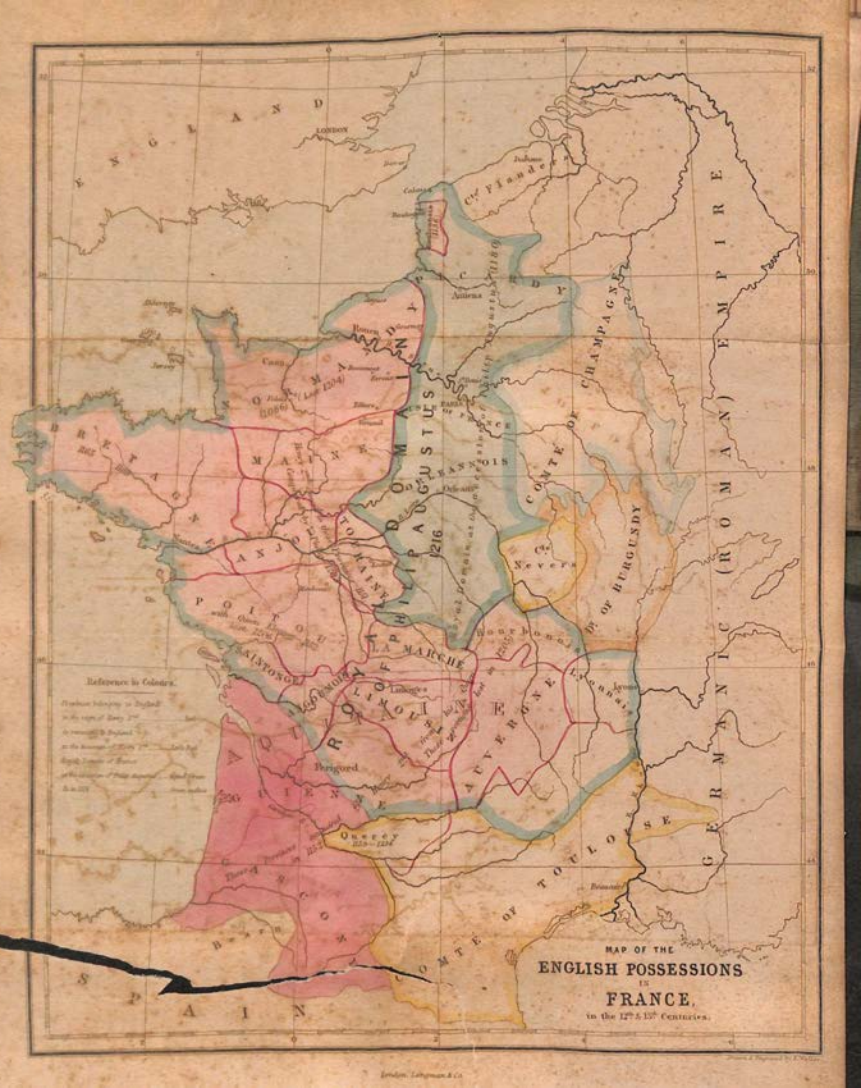
[93] Vol. I. p. 21.
[93a] „ 64, 65.
[93b] „ 68.
[93c] Vol. I. p. 66.
[93e] „ 67.
[93f] „ 70
[93g] Vol. I. p. 71.
[93h] „ 79.
[94] „ 212.

The Saxons in England. By JOHN M. KEMBLE, M.A., &c. 2 vols. 8vo. 1849.

[95] Vol. I. p. 179.
[96] „ 178. and Vol. II. p. 98, &c.
[97] „ 193.
[98] „ 209.
[99] „ 198.
[100] „ 131.
[101] Vol. II. p. 237.
[102] „ 182.
[103] „ 241.
[104] Vol. I. p. 254.
[105] Vol. II. p. 150.
[106] „ 114.

Sketches of the Lives and Characters of English Civilians; with an Historical Introduction relative to the College of Advocates. By One of the Members of the College. 1 vol. 8vo. London, 1804.

[107] Abridged from Introduction.


MAP OF THE
ENGLISH POSSESSIONS
IN
FRANCE,
in the 12th & 13th Centuries.
ENGLAND
LONDON
Cte Flanders
PICARDY
Amiens
NORMANDY
Rouen
Caen
MAINE
BRETAGNE
ANJOU
TOURAINE
POITOU
SAINTONGE
LA MARCHE
LIMOUSIN
AUVERGNE
Lyonnais
Lyons
Bourbonois
Cte Nevers
Dy OF BURGUNDY
COMTE OF CHAMPAGNE
GERMANIC (ROMAN) EMPIRE
ROYAL DOMAIN OF PHILIP AUGUSTUS
1216
Perigord
Quercy
GASCON
Bearn
COMTE OF TOULOUSE
SPAIN
Reference to Colours.
London, Longman & Co.

LECTURE THIRD

A.D. 1216—72.

THE REIGN OF HENRY THE THIRD.

General Character of HENRY THE THIRD, and of his Reign. — Enlarged Summary of Events at the end of John's Reign. — Henry's Position on his Accession to the Throne. — Military Operations of the French and the Barons against the King. — Contests with the Barons. — The History of Fulke de Bréauté. — History and Origin of Fairs. — Wars with France. — Disgrace of De Burgh, the King's Marriage, History of new Favourites, and Opposition of the Barons. — The Pope's Oppression of the English Clergy. — Simon de Montfort. — The King's Struggles with the Barons. — The Battle of Evesham. — Summary of the Character of Henry the Third. — Remarkable Persons in his Reign. — Robin Hood. — The Wife and Issue of Henry the Third.

General Character of Henry the Third and of his Reign.

Henry II. A.D. 1216.

AT the commencement of this, my third, Lecture on the History of England, I must remark, that, as we have now reached a period, when events left marks, which may be traced even at the present day, I intend, henceforth, to enter more minutely into the history of each succeeding reign.

This reign said to be uninteresting.

The reign of Henry the Third is said to be uninteresting, and there are, indeed, but few stirring events, while in the character of Henry himself, there is nothing to admire. He was by turns in the hands of favourites, who were foreigners, of the cardinals sent over by the Pope, or of barons to whom he was obliged to yield. When in need, he took solemn oaths to reform abuses; when his need was

Henry III. A.D. 1216.

satisfied, he scrupled not to break those oaths. Thrice did he solemnly swear to govern according to the Magna Charta, and thrice did he laugh that charter to scorn, when he had escaped from the danger which alone induced him to make the promise. He had no strong will, inciting him to some definite end, and by its bold consistency compelling admiration, in spite of the tyranny by which alone that end could be accomplished. No! he was consistent only in getting what he could, in granting what he could not help, and in revoking what he had granted so soon as he recovered the power. He had no vices, he was but miserably weak.

Henry's character weak and fickle:

but the reign is important, because political power was extended.

And yet his reign is not only important, but, as I hope you will find, it is interesting also. The struggles to free the realm from French dominion, the resistance of the barons against the King's oppressions, the successful rebellion of Simon de Montfort, and the consequent growth of self-government, are all matters of interest; ay, and of moment too, even at this our present day. But there are interesting matters too, of lighter kind. You will hear of the Life of the merry foresters, of Robin Hood and Little John, "under the greenwood tree;" of strange adventures of the barons; and of the fairs held over all England under peculiar privileges. These matters will, I hope, lighten the graver scenes, of which you must be informed, if you are to listen to the history of your native land.

Enlarged Summary of Events at the End of John's Reign.

My second Lecture, as you may remember, was devoted to an account of the rise and progress of

English Government and of English Laws. I must now take up the thread of the History from the time at which it was broken off, and, to enable you to understand the events which took place at the beginning of Henry's reign, I must remind you of the chief of those which took place at the close of that of King John, and add a few details to the facts I then related to you.

Henry III. A.D. 1216.

The Magna Charta had been wrung from King John by the barons. They had been roused by his oppressions, by his treachery, and by his vices, to an assertion of their rights; or rather, one might say, to demand pledges, or securities, that from henceforth, the Kings of England should govern according to settled laws, instead of according to their own caprices.

Magna Charta wrung from King John.

King John, however, although he had solemnly sworn, to rule according to the Magna Charta, had no sooner affixed his seal thereto, than he made ready to escape from its conditions. Having submitted entirely to the Pope, he felt he might count on his help in the hour of need, and hence he sent to Rome, to beg for absolution from his oath. The absolution was granted. But John, while securing spiritual aid, did not forget the need of temporal help; and he sent messengers, to those parts of his French dominions which had not been taken from him, to hire soldiers, at any price, to fight for him against his own deceived subjects. The barons too, on their part, felt the need of help, and of a leader, round whom they and their friends might rally. Therefore, they also applied to France, and offered the English crown to Louis, the son of Philip Augustus, afterwards King of France as Louis the

King John tries to escape from its conditions,

and appeals to the Pope for absolution,

and levies French soldiers.

The barons offer the crown to Louis,

Henry III. A.D. 1216.

Eighth. Louis pretended he had a rightful claim to the English throne, as the son of John's elder sister Eleanor, who married Alphonso the Ninth, called "the good King of Castile." He treated John as an usurper, who had murdered the rightful claimant. The barons did not recognise his claim; but they did not object to avail themselves of it. It is likely also, that they thought the French soldiers hired by John would not fight against the son of the King of France, and, as nearly one third of France belonged, or had belonged, to the Kings of England, they may have felt no horror at a King of France becoming the King of England, joined to France. Happily however for England, John died before any great success had been achieved by either party, and his eldest son Henry succeeded to the throne on October 19th, A.D. 1216.

who pretends he has a right to it.

English Possessions in France, and French Acquisitions in England.

Henry's reign much occupied with wars with France.

The reign of Henry the Third began with a struggle to free England from French invasion, and was throughout much occupied in wars with France, for the recovery of those provinces that John had lost, and for the keeping of those which still belonged to the Plantagenet Kings of England. It will therefore be well to remind you how it was that certain parts of France once belonged to England; to state what they were, and what still remained at the death of John; and then to tell you what parts of England were held by the French on Henry's accession.

Possessions in France,

The right of English Kings to possessions in France, was derived from a Duke of Normandy who became King of England as William the First. His great-grandson, Henry the Second or Henry Planta-

genet, had, as I related to you in my first Lecture, larger possessions in France than William. He was lord of Normandy, Anjou, Maine, Touraine, Aquitaine, and Poitou; but he did homage for them to the King of France, as his feudal superior. During the absence of Richard the Crusader in the Holy Land, Philip Augustus King of France, endeavoured to seize these provinces; but John, when he succeeded to the throne, ruled over nearly the whole of the French coast, from the borders of Flanders to the foot of the Pyrenees. John had derived this dominion from his father Henry the Second, who received Normandy from the Conqueror; Aquitaine and Poitou from his wife, Eleanor of Aquitaine, the divorced wife of Louis the Seventh of France; and Anjou, Maine, and Touraine from his father Geoffrey Plantagenet. But he soon lost the greater part of his French possessions. It was the great object of Philip Augustus to increase the royal domain of France, which, at his accession, consisted only of a small extent of territory round Paris, and indeed in no way represented the territory we mean now when we speak of France.

Henry III. A.D. 1216.

how acquired.

"If one compares the power of the King of France, to that of the King of England (in France), at the accession of Philip Augustus, A.D. 1179, one is surprised at the disproportion. The Boulonnais, Normandy, Maine, Anjou, and Brittany, formed, to the north of the Loire, a sovereignty, compact, and superior in extent to that of the King of France, which comprised only the Isle of France, and a part of Picardy and of the Orleannois. While, if Henry the Second divided with his suzerain, or feudal lord, the sovereignty of the provinces north of the Loire, he was almost sole possessor of the provinces to the south,

Henry III. A.D. 1216.

or which extended between the Rhone, the Loire, the Pyrenees, and the Western Ocean. Touraine, Poitou, Angoumois, Saintonge, Guienne, Gascony, le Berri, la Manche, le Limousin, and the greatest part of Auvergne belonged to him. The Count of Toulouse did him homage for that province, of which he had always defended the independance; and the possessions of the King of Aragon, along the Mediterranean, from Perpignan to the mouths of the Rhone, were placed, by treaties of alliance, in a sort of dependance on him. The power, or influence, of England, thus extended over forty-seven of the departments, while Philip Augustus hardly ruled over twenty."[1]

Philip Augustus desired to obtain possession of the whole country. The various duchies, which only feudally submitted to him, had maintained an independance which he wished to destroy; and whenever he had, for a time, subjected them, they soon began to be dissatisfied with his government, and welcomed back John. But Philip Augustus took nearly the whole of Aquitaine from John, in the beginning of the 13th century; and by a treaty signed at Parthenay, in 1214, a truce for five years was agreed on between John and Philip Augustus, the conditions of which were, that John should give up all his possessions north of the Loire, viz. Normandy, Brittany, Anjou, Maine, and Touraine. Thus Philip Augustus greatly increased the domain of the King of France, and Henry the Third, at his accession, possessed only Gascony, and part of Guienne. He probably held some castles, and had some indefinite hold on parts of Poitou, but the province itself, as a whole, had submitted to Philip Augustus.

and how lost.

We must now see what success Louis had obtained

in England. He had landed at Sandwich, and had then laid siege to, and taken, the castle of Rochester. In London, he had been received with open arms, barons and citizens meeting him in procession. Henry III. A D. 1216. French acquisitions in England.

Siege of Castle. (From Royal MSS. E. G. 6. St. Denis, 343. Brit. Mus.)

All the counties, in the neighbourhood of the capital, submitted to him, and the men of Lincolnshire and Yorkshire declared in his favour. He possessed a great part of the open country, but every fortress of importance was garrisoned by Henry's troops, or was in the possession of those who had been John's partisans.

Henry's Position on his Accession to the Throne.

This was a difficult position for the young King. At John's death Henry was only nine years old. But, while John was still alive, Louis had turned away Difficult position for the young King.

Henry III. A.D. 1216.

many barons from his own cause by his profuse gifts of power and honours to his countrymen. He had made the Count de Nevers, Earl of Winchelsea, and Gilbert de Gand, Earl of Lincoln. Many powerful barons had in consequence returned to King John, who was very liberal of promises to those who came to his help. From these causes, at Henry's accession he had a powerful body of friends to support him, and his youth enlisted others on his side. Many were naturally touched with the helplessness of the youth, willing to support him in defence of his throne against a foreigner, and hopeful, that from him they might obtain those rights, which his father had wrested from them. Henry too was sure of the Pope's support, which in those days was a matter of great moment. The Pope had excommunicated Louis, and all John's opponents, and of course lent his spiritual aid to the young King.

The Earl of Pembroke appointed guardian.

William Mareschal, Earl of Pembroke, a powerful baron, who had remained true to John, was appointed guardian of the kingdom, and the young King was placed under his care. He was a man of great ability, and it was mainly to his wisdom, that Henry was indebted for the speedy possession of his throne.

So soon as the death of John was publicly known, the Earl of Pembroke summoned the earls, bishops, and barons who had remained true to the late King, to meet him at Gloucester; whither he had taken Prince Henry. He then addressed them, and said: "that, although they had persecuted his father for "his evil deeds, yet the son was innocent of his "father's faults; and that therefore they ought to have "pity on his tender age and make him their King, and

"expel Louis the son of the French King."[5] "Let him be made king," was their answer; and a few days afterwards he was crowned at Gloucester: but, the crown itself having been lost with John's baggage, a plain circle of gold was used in its stead. Henry III. A.D. 1216. Coronation of the young King.

The first act of Henry's reign, performed of course by the advice of his guardian, was the confirmation of John's Charter. No time was lost in binding Henry to govern according to its provisions. Confirmation of the Charter.

Military Operations of the French and the Barons against the King.

Louis carried on the war with vigour. At John's death he was besieging Dover. In full expectation that the King's death would discourage its defenders, he summoned Hubert de Burgh, the constable of the castle, to surrender; promising him great honours if he yielded. But Hubert replied, that "although his master was dead, yet he had left sons who ought to succeed him;" and he resolved to hold out. Louis therefore raised the siege, and marched to London; from whence he proceeded to Hertford, the castle of which he took after a stout resistance. He then went on to Berkhamsted; where, it is related, the barons of his party pitched their tents on the north side "towards the forest."[6] He took this castle also; and then, having secured possession of what were probably the two most formidable castles near London on the north side, he returned to the capital. But, on his way, he forced the abbot of St. Albans to pay him a large sum of money, under a threat of burning the abbey and the town. This was about Christmas time, and a short truce was consequently agreed on. The French besiege Dover, but fail to take it. They take Hertford and Berkhamsted, and levy money on St. Albans. Short truce.

Henry III. A.D. 1217. Louis goes to France, and returns with more soldiers.

Early next year (A. D. 1217), Louis went over to France; having been sent for by his father, Philip Augustus, who wished to persuade him to give up his attempt on England. The Pope had threatened to lay France under an interdict, if Louis persisted. But he was not to be persuaded, and returned to England with his hands strengthened by fresh adherents.

Henry's friends increase.

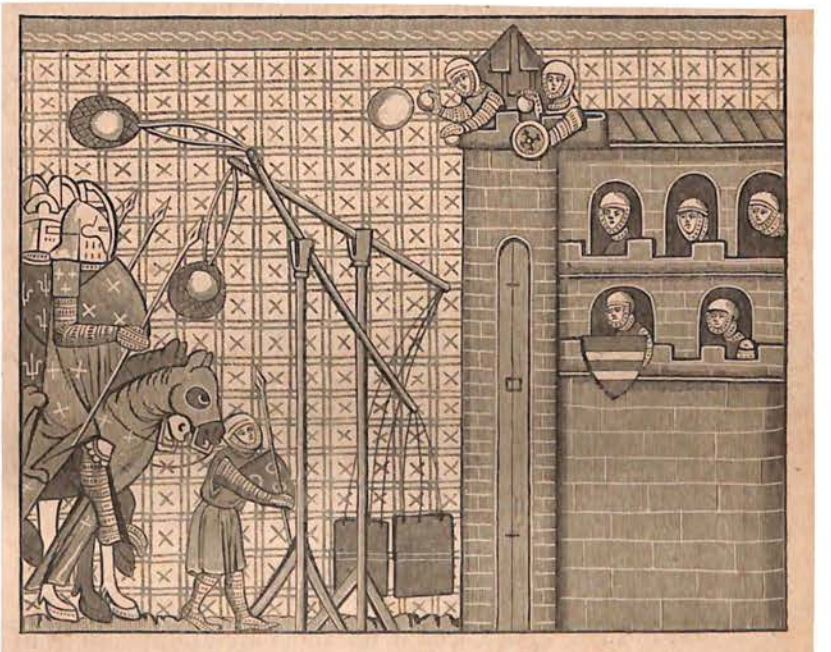
During his absence, Henry's party had greatly increased in strength, and the Royalists had regained possession of Marlborough, Winchester, and other strong castles which had been seized by the insurgent barons. When Louis returned, the King's forces were besieging a castle in Leicestershire, called Mount Sorel, and the Londoners urged him to march to its relief. Accordingly, on the 30th April 1217, Louis sent out from London an army of 600 knights, and above 20,000 men, under the command of the Count De la Perche, a young French nobleman whom Louis had brought back with him. On their way, a contribution was again levied on the unfortunate abbot of St. Albans; after which they pillaged the church of St. Amphibalus, near Redbourn. They soon relieved Mount Sorel, and then proceeded to Lincoln, where they laid siege to the castle; the city itself being in the hands of their own party.

Siege of Mount Sorel.

Siege of Lincoln.

The Earl of Pembroke, seeing that the loss of Lincoln castle would be a grievous blow to the royal cause, summoned the loyal barons and their supporters to meet him at Newark, to prepare for its relief. An army of 400 knights, 250 crossbow-men, and numerous esquires and horsemen was soon collected; and their cause was invested with a sacred character by Gualo, the Pope's legate, who also went to Newark to

meet the Earl. The Royalists marched forward toward Lincoln with great spirit. They set out from New- Henry III.



Siege of Castle. (British Museum, St. Denis, Royal E. G. 6. xxxix. V. I.)

ark in seven divisions, with white crosses sewn on their breasts, as if they were crusaders; the bowmen went in advance, and the baggage kept at a distance in the rear. Parties were sent out by the insurgents to find out the strength of the King's army. Deceived by the appearance of the baggage, they thought two armies were coming upon them, and they were discouraged. Instead therefore of sending out their horsemen, of whom their troops principally consisted, to meet their enemies in the open plain, where they would have had great advantage A.D. 1217.

Henry III. A.D. 1217.

over them, they shut themselves up within the walls. Henry's troops were admitted into the city by the skilful management of the King's party within the castle, and the crossbow-men quickly began the attack. The horsemen fought the archers in the narrow streets at a great disadvantage, and were soon thrown into confusion. "Then sparks of fire were seen to dart, and sounds as of dreadful thunder were heard to burst forth from the blows of swords against helmeted heads; but at length, by means of the crossbow-men, by whose skill the horses of the barons were mown down and killed like pigs, the party of the barons was greatly weakened."[83] The King's party sallied out from the castle, the insurgents were totally routed, and their leader, the Count de la Perche, with a large number of the barons, was killed. In the quaint language of the old chroniclers, this was called the Fair of Lincoln.

Louis's army defeated at Lincoln.

French fleet defeated.

This was a serious blow to the French cause, and a defeat at sea gave it the finishing stroke. Louis, on hearing of the defeat of his army at Lincoln, sent over to his father for help; but he, fearing the anger of the Pope, left it to the Prince's wife to help him, thinking thereby to escape the execution of the Pope's threats. Accordingly, by the efforts of Blanche of Castile, the wife of Louis, a French fleet of eighty large ships, besides smaller vessels, was collected at Calais, and set sail for England under the command of the French Admiral, Eustace the Monk. This Eustace was originally a monk, but, "on the death of his brothers without children he abandoned his monk's habit and apostatised from his order." After squandering his fortune "he became a pirate, and a bloody pirate leader,"[84] and was at last made Admiral of the

French fleet. The English, under the command of Philip de Albiney and John the Mareschal, had notice of their coming; and, although they met their enemies with an inferior force, yet, by skilful seamanship, availing themselves of the direction of the wind, and by attacking with great vigour, they secured a complete victory. Henry III. A.D. 1217.

Thus ended the attempts on the English crown in less than a year from Henry's accession. After the defeat at Lincoln, Louis had retreated to London, where he built up all the gates but one, to secure himself from an attack by the King's forces. But, on hearing of the defeat of the French fleet, all hope of success was gone, and he willingly made peace with Henry, and returned to France. According to the custom of the feudal system, which I explained in my former Lecture, it was arranged, that Louis should relieve the barons who had called him to their assistance, of their homage and their fealty; and that Henry should give them a full pardon on their return to their allegiance. Louis also promised that, if ever he came to the French throne, he would restore to Henry all the provinces which had belonged to his father. Departure of the French.

Arrangements for the Government of the Kingdom.

After the departure of the French, Alexander the Second, King of Scotland, who had taken part with John's opponents, made peace with Henry, and was received by him with great honour at Northampton; where it is said, by some historians, he did homage to Henry for the territories which he held of the King of England. Early in the following year, peace was also made, with Llewellyn Prince of Wales, who The King of Scotland and the Prince of Wales make peace with Henry.

Henry III. A.D. 1218.

was intrusted with the custody of the King's castles at Caermarthen and Caerdigan, on the understanding that he should give them up to the King when he came of age. For the performance of these things he gave hostages, "Mailgon the son of Rees, and Rees the son of Griffin, and Mareduc the son of Ren."[1]

The young King was now seated on the throne without a rival, but he had not a single relative to advise him. Even his mother, Queen Isabella, who had followed the example of her husband King John, in his profligacy, and had thereby forfeited the esteem of the nation, left him to the care of others, and went over to France to marry her former lover the Count de la Marche. Henry, however, had good advisers. The Earl of Pembroke was a wise and upright man, and the legate Gualo, who had been sent over by Pope Honorius the Third to advise the young King, performed his duty with discretion and fidelity. The Charter, as I have informed you, was confirmed. But it was not without difficulty that order was restored throughout the realm.

Death of the Earl of Pembroke.

Hubert de Burgh and Peter des Roches succeed him.

In the year A.D. 1218, the kingdom suffered a great loss by the death of the Earl of Pembroke. The government of the kingdom now devolved on Hubert de Burgh, who had just been created Grand Justiciary, and on Peter des Roches, Bishop of Winchester, to whom the care of the King's person was more particularly intrusted. Hence, before Henry had been seated on the throne two years, began a jealousy between foreigners and natives, which continued to disturb the country throughout the whole of his reign. These two ministers were rivals. Hubert de Burgh, the brave defender of Dover against Louis, was the friend of the native families. Peter des

Their rivalry.

Roches, a native of Poitou, one of the English provinces in France, proclaimed himself a friend of the foreigners, who had been hired by John to defend him against the barons, and who had settled in the land. The legate Gualo had returned to Rome before the death of Pembroke, and had been succeeded by Pandulph, who was able to restrain the rivalry of these two ministers, or favourites, within moderate bounds. But Pandulph returned to Rome in A.D. 1221, and after a few years De Burgh got the power into his own hands. Henry III. A.D. 1218.

Beginning of Contests with the Barons.

In the mean time, for five or six years, the country was continually disturbed by petty struggles. The King, with his two advisers, went about from one part of the kingdom to another to put down these outbreaks. He "kept his Christmas," as it was termed, and which we may suppose to have meant that he

Royal Feast. (Brit. Mus. Royal MSS. 2 B 7, folio 204.)

Henry III. A.D. 1223.

held his court and indulged in festivities, one year at Oxford, another at Winchester, another at Northampton, and so on. John had lavishly distributed the crown lands, and the lands of the insurgent barons, among his partisans, foreigners as well as natives; and had surrendered to them the command of the royal castles. They now refused to give them up till Henry became of age; whereupon, in A.D. 1223, when the King was only sixteen years old, the Pope issued a bull, or edict, declaring him to be of full age, and ordering all who held the King's castles to deliver them up under pain of excommunication.[9] The Earls of Chester and others refused to comply, but were at length compelled to submit.

The barons refuse to give up the castles intrusted to them.

The barons demand a confirmation of the Charters.

It is needless to relate in detail all the struggles between the King and his barons; but it is worthy of notice that the King's council, held at Oxford in January 1223, deemed it necessary that Henry should confirm the liberties granted by his father, although when he came to the throne he had sworn to observe the Charter; from whence it appears that the King and his two advisers had already neglected to observe the conditions of the Magna Charta. Henry yielded, and promised to make inquiry concerning those liberties, and to cause them to be proclaimed.

The History of Fulke de Bréauté.

Illustrates the manners of the times.

I must now relate to you the history of one of John's foreign barons, who also played a conspicuous part in the present reign, as it illustrates the turbulent manners of the times, engendered by the civil wars and the cruel despotism of John. This baron was named Fulke de Bréauté. His history is related by

monks whom he robbed and maltreated, and therefore it cannot be supposed that he met with much mercy at their hands; but neither, as you will see, did he deserve much. These monks constantly speak of him as *that* Falcas, *that* Falcasius. Latin was the language in which the monks always wrote, and in turning the name Fulke into Falcas, or Falcasius, they probably wished to express their hatred of his sanguinary rapacity, for the word seems to be derived from a Latin word (*falx*) meaning a scythe. Another historian, not subject to any suspicion as to his motives, calls him "the old plunderer," and you will see he well deserved the name. Henry III.

He was born in Normandy, and came over in the reign of John to seek his fortunes. "About this time," says Matthew Paris, "there was one Fulke de Bréauté, a native of Normandy, a bastard by his mother's side, who had lately come on a scurvy horse, with a pad on his back, to enter the King's service."[38] Physically he seems to have been a brave man, but of moral courage he was quite destitute, for when overtaken by misfortunes his courage failed him entirely; he had however such fox-like readiness of resource when fairly hunted down, that it is impossible to avoid being interested and amused with his adventures. Born in Normandy.

Fulke soon made his way in England, for we hear of him as one of John's principal advisers in his disputes with the Pope. When John had submitted to the Pope, had failed to observe the Charter, and had waged war against the barons, up comes this bird of evil omen. "Accordingly," says an old chronicler, "King John, accompanied by that detestable troop of foreigners whose leader was Fulke de Bréauté, began Soon makes his way in England.

Henry III. to lay waste the North of England."[39] Fulke evidently did his savage duty well, for John now promoted him to greater honour. "Knowing he did not fear to commit any crime," says an old chronicler, "he sent for him, (from some place in the marches of Wales, of which he had appointed him to take charge,) that he might join him in venting his rage against the barons."[81] And he goes on to say, "this wicked freebooter acted more cruelly against the barons than he had been ordered, and therefore the King became more favourable to him."[81] He gave him the castle of Bedford, and married him to a rich heiress, Margaret de Redvers, against her will indeed, but that made no difference to John, or to Fulke de Bréauté.

John gives him Bedford Castle.

He lays waste the Isle of Ely,

We next hear of him laying waste the Isle of Ely. "About this time," it is said, "the Isle of Ely was laid waste by Fulke, who also, mounted on his horse, with his sword drawn, irreverently entered the Cathedral itself, and dragging from thence noblemen, clergymen, and matrons, and the Lord Stephen Ridel himself, compelled him to pay a most heavy ransom."[40] Then he plundered the town of St. Albans, killing some of the nobles in the Abbey itself, where they had taken refuge. For this, it is said, he was reproved in a vision by St. Alban, "who looked upon him with a stern eye so fiercely, and reproved him so bitterly, that he was almost bereft of his senses."[41] Accordingly, he went to the abbot and his brethren, in great humiliation, entreating for pardon, which was granted him on his submitting to be whipped by every one of them. "But," adds the chronicler, "he did not restore any of the property he had seized, or make any reparation to the poor followers of Christ for the injury he had done them."[82] John and De

and plunders St. Albans.

Bréauté now went on hand in hand in their savage cruelty. Under John's orders, he and the Earl of Salisbury kept passing and repassing to and from the city of London, to watch and harass the barons, and cut off their supplies. Then John gave him more castles to command, charging him as he valued his life, to harass the barons. At last John died, and Fulke made friends with Henry, and was as great a man as ever. At the head of his castellans, or keepers of his castles, he took part in the siege of Mount Sorel, and was of great service at the siege of Lincoln. "Falcasius then, seeing a great many of the more noble of the enemy struck to the earth, boldly burst forth with his followers from the castle into the midst of the enemy; he was, however, made prisoner by the number who rushed on him, and carried away, until he was rescued by the bravery of his cross-bow-men and knights."[33]

Henry III.

He harasses the barons.

He takes part in the siege of Lincoln.

The following Christmas, he held a post of high honour in attendance on the King at Northampton, supplying "all the necessaries for the royal festivity."[35] Next we hear of him engaged in putting down a riot in London, conducting three traitors to be hanged, and refusing a large bribe to let them go free.[36] The riot arose in the following manner:

He conducts three traitors to be hanged.

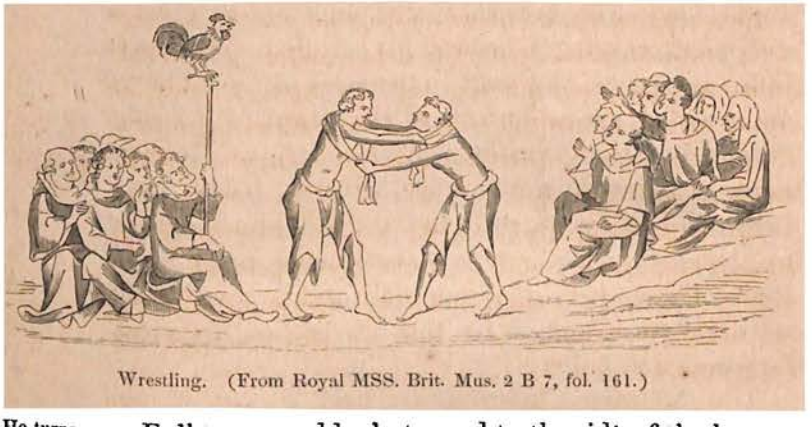
"A great wrestling match was appointed between the citizens (of London) and country people near adjoining, wherein the citizens were conquerors." This seems to have annoyed the Steward of the Abbot of Westminster, for an old historian says "this much stomached the Steward of the Abbot."[8] The Steward accordingly appointed another match to be held at Westminster, and promised to give a ram to the conquerors. The citizens flocked to

Wrestling match in London.

Henry III.

the match in great numbers, but they soon found they had fallen into a snare. The Steward had proposed the wrestling match only to conceal a plot for revenge. He suddenly came upon them with a body of armed men, wounded them and put them to flight. Out of this arose the riot which our friend Fulke was engaged in putting down.

Riot arises out of the wrestling.



Wrestling. (From Royal MSS. Brit. Mus. 2 B 7, fol. 161.)

He turns against the King.

Fulkè now suddenly turned to the sidè of the barons against the King. But he was one of those who opposed the King's forces, not in defence of his legal rights, of which indeed we may fairly say he had none, but simply because they interfered with his rapine and plunder. "There were at this time," says Roger of Wendover, "many nobles whose chief delight had been during the past war to live by plunder, and now, even after peace had been declared and granted to all, they could not restrain their hands from pillage."[85] He united himself with the Earls of Chester and Albemarle, in their refusal to give up to the King, the castles and lands they had unjustly acquired.[4]

He tries to seize the judges who

We next hear of Fulke taking a still bolder course, attempting to make prisoners of the judges who had

condemned him for his misdeeds. The itinerant justices were sitting at Dunstable, when no less than thirty verdicts were found against him for seizing lands to which he had no right: among others, he had seized the tenements of thirty-two freemen of Luton, and appropriated some common pastures to his own use.[38] For this he was fined a hundred pounds. When Fulke heard of this he was in a great rage, and immediately fortified his castle at Bedford, from whence he sent his brother with a body of armed men to Dunstable to take the justices prisoners. Two of them made their escape, but Henry de Braybrooke was taken, and carried off to Bedford. The King immediately (A.D. 1224) ordered his troops to besiege the castle, and he himself was present at the siege. Fulke believing that the castle could hold out for a year, had gone into Cheshire and Wales to raise more men.[10]

Henry III. had condemned him for his misdeeds.

Siege of Castle. (From St. Denis, Royal MSS. E. G 6, folio xx. 13—18. Brit. Mus.)

The castle was well defended; but, "at length, after great slaughter on both sides," says one of

Siege of Bedford Castle.

Henry III.

the old chroniclers, "the King's workmen constructed a high tower of wood, built on geometrical principles, in which they placed crossbow-men, who could watch every proceeding in the castle; and from that time no one in the castle could take off his armour without being mortally wounded."[37] This gives a curious picture of the castles and mode of siege operations in those times. Seven engines battered the walls with large stones from morning to night, and a machine called a cat, protected the sappers in their attempts to undermine the foundations. The barbican was then taken by assault, the outer wall was forced, and the castle, horses, and provender fell into the hands of the King. At length the foundations of the keep, or inner stronghold, gave way, and laid open the fortress. The royal standard was now hoisted on the tower, and the garrison capitulated. The castle was destroyed, and the leaders of Fulke's party, to the number of about eighty, were executed.

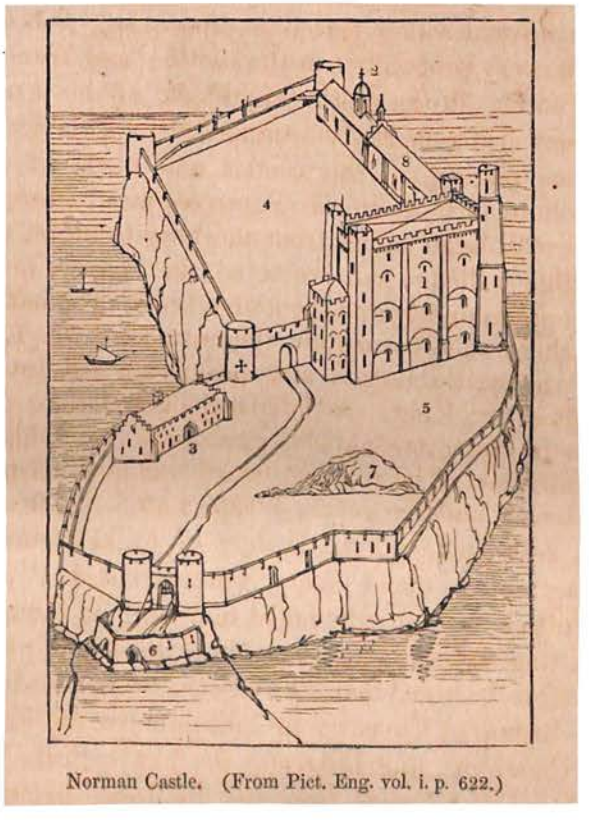
The castle taken.

Fulke's courage now failed him, and he thought it was time to make his peace with the King. When, therefore, he heard that his castle was taken, he begged the Bishop of Coventry to take him to the King at Northampton, and intercede for him. Fulke "fell down at the King's feet, and implored his mercy, urging his great services to the King, and to his father in the late wars; and thereupon the King, by the advice of his great council (having first seized all his castles, lands, and goods), committed him to the custody of the Bishop of London."[11] "In March the great men met the King again at Westminster at a council or parliament, where he commanded them to declare what sentence should be given against his traitor: whereupon the nobility agreed with

Fulke submits with great humility.

the King in this; that because both his father and himself had done faithful service to the Crown for

Henry III.



Norman Castle. (From Pict. Eng. vol. i. p. 622.)

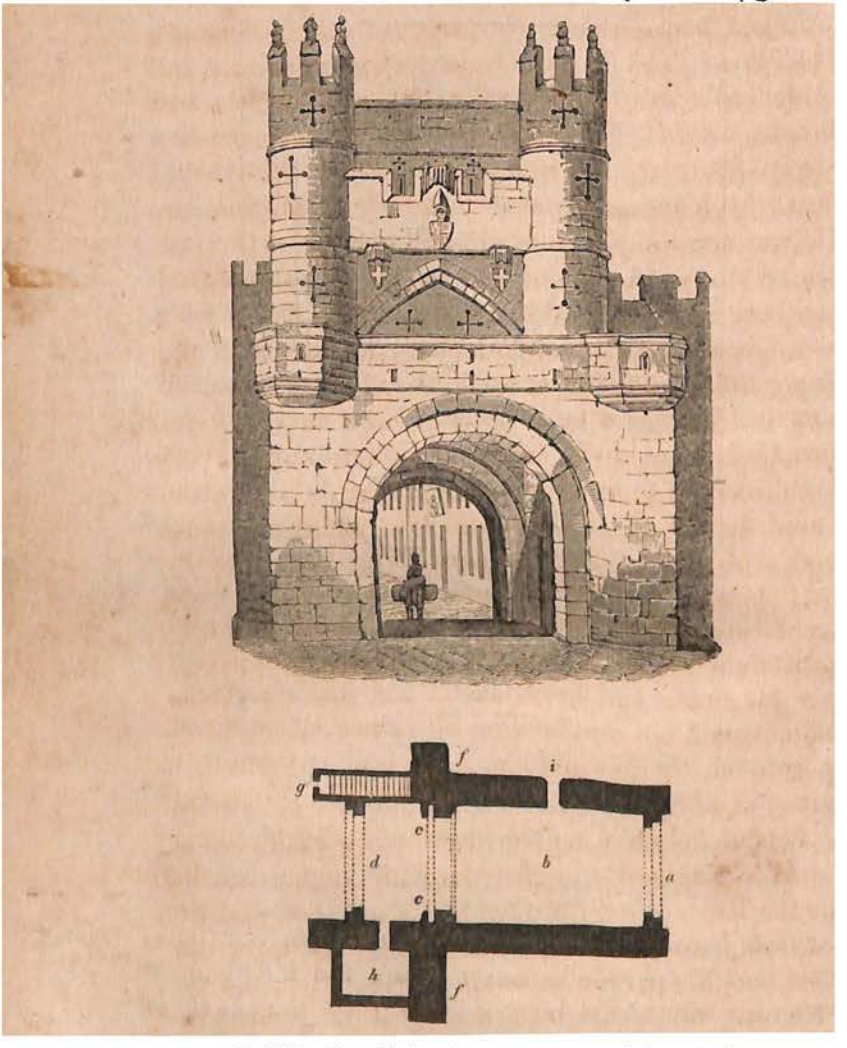
1. The Dungeon.
2. Chapel.
3. Stable.
4. Inner Bailey.
5. Outer Bailey.
6. Barbican.
7. Mount.
8. Soldiers' lodgings.

The Mount is supposed to be the Court-hill, where the Lord dispensed justice, and where also it was executed.

several years, he should lose neither life nor limb, but should for ever hereafter abjure the kingdom."[12a] He was conducted on board ship by the Earl of Warren, when, as a last shift, he made an attempt to secure a pardon by throwing the blame of his misdeeds on others. He begged the Earl, with tears in

He is banished from the kingdom, but tries to escape punishment by throwing the blame on others.

Henry III. his eyes, to let the King know that whatever he had done was by encouragement of many of the great



Monk Bar Gate, York. (From Pict. Eng. vol i. p. 623.)

a Outer Gate.
b. Barbican.
c. Groove for Portcullis.
d. Inner Gate.
f. City Walls.
g. Stairs to ditto.
h. Guard-room.
i. Sally Port.

men of England. This cowardly lie did not avail him, and his sentence of exile was carried out. Henry III.

When he landed in Normandy, fresh misfortunes befel him. The King of France took him prisoner, and sentenced him to be hanged as one of those who had fought against his son Louis. Fulke, however, was always ready in devising means of escape, and to avoid death by hanging, he made a vow to turn crusader. He was accordingly sent to Rome; where he was represented to the Pope as one that had taken the cross, and had been much injured and oppressed by his enemies in England. Fulke now presented an address to the Pope, full of falsehood; with the view to persuade him that he was a much injured man, and had got into trouble, only by resisting a conspiracy of the Archbishop of Canterbury, and Hubert de Burgh, the Grand Justiciary, to dispossess the nobility of those castles which had been committed to their trust by the Pope's legate. He then went on to say that "the Archbishop had excommunicated him; and that notwithstanding he had surrendered himself to the King, after his castle had been taken; yet that the Archbishop would not absolve him till he had stood naked all sermon time, while the Archbishop preached a sermon at him."[12b] Fulke's adroit falsehoods induced the Pope to help him, and he directed his legate, on his arrival in England, to move the King in his behalf. But the King refused to reverse his sentence, and we now hear nothing more of him till near his death. It seems that his pardon was at length secured, and he was on his way to England, through France, when he died of eating a poisoned fish. So ends the history of Fulke de Bréauté,—an average specimen of not a few of the mercenary barons who were John's allies.

When he arrives in France the King sentences him to be hanged, but he escapes the sentence by promising to turn crusader.

He appeals to the Pope to intercede with Henry for pardon,

which at length is granted, but he dies of eating a poisoned fish.

Henry III.

History and Origin of Fairs.

Before resuming the continuous narrative of the events of the reign, I must give an account of the Fairs which were at this time held in different parts of England. They were not only one of the greatest sources of amusement in those times, but they were moreover of importance as a source of revenue to the King, and were among the means by which he oppressed his subjects.

Fairs were sources of revenue;

existed in England in the time of the Romans

originated in pilgrimages to sacred places.

Fairs are of great antiquity. Stourbridge fair, which at one time was of great importance, is said by some to have originated in the time of the occupation of Great Britain by the Romans. "The first fairs arose from the gathering together of worshippers and pilgrims about sacred places, especially within or about the walls of abbeys or cathedrals, on the feast days of the saints enshrined within them. The sacred building was often in the open country, or near some village, too small to provide accommodation for the throng assembled at its yearly feast of dedication. Then tents were pitched, and as the resources of the district could no more suffice to victual than to lodge its flying visitors, stalls were set up by the provision dealers to supply their wants;" [42] and thus by degrees, the convenience of these marts led to their use as general markets. The King, however, reserved to himself the right of granting leave to hold these fairs, and tolls were levied on all goods sold there. This became a considerable source of revenue. Sometimes the King proclaimed a fair, all the tolls levied at which were paid to him; but more usually he granted the right of holding a fair to some favourite, or for some par-

Stalls were set up to supply the multitudes with food, and thus fairs by degrees became markets.

Tolls were levied by the King,

or licenses granted.

ticular purpose. Thus the right of holding a fair at Smithfield, was granted by Henry I. to the monks of the priory of St. Bartholomew, for the benefit of the priory. Fairs were constantly held in churchyards, and sometimes even in the church itself; and it was not unusual, when a fair was held within the precincts of a cathedral, to oblige every man to bind himself by an oath at the gate, not to lie, steal, or cheat till he went out again. Those who attended fairs were greatly privileged; traders on their way to or from a fair, were free from arrest, except for debts arising out of the trade of the fair itself.

Henry III.

Right of holding Bartholomew Fair granted to the monks of the priory.

Fairs held in churchyards.

All trade within a certain distance, was stopped during the fair, so as to compel traders to resort to the fair during its continuance, and it was unlawful to set up two fairs within seven miles of each other. This practice was much abused by Henry III. He not only held fairs, for instance, at Westminster, to the great damage of the citizens of London, and without any plea of old custom or general utility; but also, during its continuance, he prohibited other fairs, even one so far off as Ely, which the Bishop of Ely had a right to hold at that time.

All trade in the neighbourhood stopped during the fair.

Henry abuses this custom to increase his tolls.

The fair on St. Giles's Hill, near Winchester, which was the greatest in Europe after that of Beaucaire in France, was given to the Bishop of Winchester by William the Conqueror for three days; and by Henry III., for sixteen days; and during its continuance, all the shops were closed, not only in Winchester, but also in Southampton. Wares sold out of the fair, within seven miles, were forfeit to the bishop.

Fair at Winchester.

"This fair attracted merchants from all parts of Europe, and the fair of Beaucaire, in Languedoc, was

Henry III.

its only rival for centuries. The great hill or mount of St Giles overlooking the town, on which Earl Waltheof is said to have been executed by order of the Conqueror, was covered with store shops or stalls, some belonging to the Crown, and many to the bishop. There was the French street; the stalls of the men of Caen; the street of the Flemings; the streets of the men of Nottingham and other English towns; and there was also the 'street in which old clothes are sold.' In the town of Winchester itself, there was the High street with its Spicery, or quarter of the Grocers; the street where the Haberdashers sat; the Mercery street; the Drapery; Parchment street; the quarter of the Jewry; and the respective streets of the Fullers; Weavers; Carpet-makers and Tanners." [54]

Court of Pié Poudré.

Every fair had its own court of justice, for the immediate settlement of all disputes at the fair. This was called the Court of Pié Poudré (or Court of Powdered Feet), and its name was derived from the dusty feet of those who attended the fair.

Shows and games introduced at fairs.

"To add to the attractions of a fair, and more especially to induce the rich and powerful to resort to it with full purses in pursuit of pleasure, amusements were introduced;" [43] and thus sprung up the games and shows of modern country fairs, which have now, however, nearly disappeared.

For several centuries fairs were the best markets.

For many centuries, fairs were the only places where every variety of goods could be purchased, and thus they were of great service. "Even so late as the 16th century, there was so little of commercial life in English towns, that stewards of country-houses, made their annual purchases of household stores at fairs, that might be a hundred miles distant from the estab-

lishments for which they were providing."[44] Thus it is ordered in the Earl of Northumberland's household book, that "he that standes charged with my lordes house for the houll yeir, if he may possible, shall be at all fairs where the groice emptions shall be boughte for the house for the houlle yeir, as wine, wax, beiffes, multons, wheite and maltie."[45] The beefs and muttons were salted meats, which shows the little progress agriculture and the breeding of cattle had then made. Henry III.

We must now leave the history of fairs, and resume the history of the reign from the time of the departure of Pandulph from England.

The King's Attempts to raise Money.

On the return of the Pope's legate Pandulph, to Rome in A.D. 1221, the rivalry of the two ministers or favourites, Hubert de Burgh and Peter des Roches, became more decided. Peter des Roches always supported what may be called the foreign party, while De Burgh stood by the natives, apparently more from jealousy and ambition than from patriotism, for he often advised the King to act tyrannically. A.D. 1221. Rivalry of Hubert de Burgh and Peter des Roches.

Henry was always in want of money, and resorted to all sorts of mean expedients to procure it. By the improvidence of his father, King John, the royal possessions had been greatly diminished; for he had been obliged to give many of the royal demesnes, to such of the barons as were base enough to support him in his attempts to oppress the people, and to the foreigners whom he hired to help him. Consequently some of his natural sources of revenue were dried up. We must also recollect that in those days there were no regular taxes. When the King wanted money, he applied to his Council. This gave the Council great Causes of Henry's want of money. Royal demesnes wasted by John, and given to the barons who helped him. No regular taxes.

Henry III.

power, for they often refused to grant him supplies till he had granted them redress of grievances. Hence arose, and in this reign thus began, the constitutional mode of obtaining redress of grievances, which is practised at the present day. When supplies were granted, it was usually in the form of what was called a fifteenth. This was formerly the real fifteenth part of all the movable property belonging to the subject, when such movables or personal estates were a very different and a much less considerable thing than they now are, and originally, at each grant, a fresh assessment of the value of property was made.[47] This was a very oppressive mode of levying revenue, for sometimes it was levied even on workmen's tools.[55]

Origin of the constitutional mode of obtaining redress of grievances.

Origin of fifteenths.

There were also some other sources of revenue; such as fines on taking possession of landed property at the death of the former tenant, payments in lieu of military duty, and others arising from the feudal system, as explained in my second Lecture. The King had also the right of keeping to himself the temporalities; that is the revenues of lands and tenements belonging to an archbishop's and bishop's see, and of all abbeys and priories of royal foundation, till the successor was appointed.[46] This was a source of great abuse, for the King often delayed the appointment of a successor for the sake of the revenues.

Other sources of revenue.

The wars with France were the most constant source of expense, and one of the earliest causes of Henry's demands of money. He was continually fitting out expeditions to recover the territories which formerly belonged to England, but which had been lost by John.

Wars with France were a great source of expense.

It was provided by the treaty between Henry and

Louis, after the "fair of Lincoln," that, when Louis succeeded to the throne of France, he should restore to Henry the French possessions which had belonged to his father. This was a promise he was not likely to fulfil. Philip Augustus, the king of France, died on July 14th, A.D. 1223, and his son Louis succeeded him as Louis VIII. Henry III. A.D. 1223.

Louis, on his accession, not only refused to fulfil his promise, but published the original sentence of forfeiture against John, entered Poitou with a numerous army, and extended his conquests to the right bank of the Garonne. In the following summer, A.D. 1224, a parliament was assembled at Northampton, and the King demanded an aid to enable him to invade France. The barons would not grant any money without greater security for their liberties; for, although the King had, as I have informed you, confirmed the Charter on his accession to the throne, its provisions were constantly infringed. The debates were interrupted by the siege of Bedford, but were renewed after its capture; and at the following Christmas, after a stormy discussion, the aid was granted on condition of the King again confirming the Charter. The King was obliged to yield, and both the Great Charter and the Charter of Forests were solemnly ratified in that form in which they now appear in our Statute Book. The scene is thus described by one of our old historians: —

Louis 8th on his accession refuses to give back the French provinces.

A.D. 1224.

Henry demands an aid to enable him to invade France.

The barons refuse unless their liberties are better secured.

Debates interrupted by siege of Bedford.

After the siege, the aid is granted on the two Charters being confirmed.

"This year, A.D. 1225, being the 9th of King Henry's reign, he kept his Christmas at Westminster, the clergy and people, with the great men of the kingdom, being all there attending. In this assembly Hugh de Burgh, the King's Justiciary, declared the damages and injuries the King sustained in his dominions be-

A.D. 1225.

Description of the debate at which the aid was demanded.

Henry III. A.D. 1225.

yond sea, whereby not only he, but also several earls and barons, were ousted of their possessions, and seeing many were concerned, the assistance ought to be proportionable. He therefore told them the King required their counsel and aid, that the royalties of the Crown and their ancient rights might be recovered. For the retrieving of which, he thought that the fifteenth part of all moveables, both of ecclesiasticks and laicks might be sufficient. This being propounded, the archbishops, and all the bishops, earls, barons, abbots, and priors, after some deliberation, returned the King this answer, that 'they would readily gratify his desires, if he would again confirm their long-desired liberties.' Thereupon, the King agreeing to the request of his great men, many Charters were forthwith written, and sealed with the King's seal, and one of them directed to every county in England, and to the counties where there were forests there were sent two, one concerning their common liberties, the other concerning the liberties of the forests."[11] He then goes on to say that, in assessing this tax, "their horses, ploughs, arms, and household utensils, as also their jewels and necessary provisions for housekeeping, were excepted. The clergy also excepted their books and the treasures or ornaments of their churches; but that none of any sex or condition were excepted from payment but only the orders of the Cistercians and Remonstrants, with the Knights Templars and Hospitallers."[12] The archbishops and bishops excommunicated all those who should commit any fraud in the raising, or hindrance in the payment, of this fifteenth.

Charters confirmed and copies sealed with the King's seal sent all over England.

"Then a day was set, being a month after Easter, for the choice of twelve knights being legal men out

of each county (that is, such as were fit to be empanelled on juries), who upon oath should distinguish and sever the new forests from the old ones, and whatever forests were found to be made after the first coronation of Henry II. were forthwith to be disforested. The Council being ended, the Great Charters were carried to every county by the King's command, and every one sworn to observe them."[12] Henry III. A.D. 1225.

Wars with France.

As soon as the King had obtained this grant of money he lost no time in making use of it; and before the following Easter (A.D. 1225), he sent his brother Richard to France to attempt to recover his provinces. After nearly a year's fighting with but little result, an armistice was agreed on, but before its expiration Louis died (on Nov. 8, 1226), and was succeeded by his son, Louis IX., a boy eleven years old, who became known in history as St. Louis. The King's brother, Richard Earl of Cornwall, sent to France. A.D. 1226. Louis the 8th dies.

The King now (A.D. 1227) resolved to take the government into his own hands. He dismissed Peter des Roches, who went on a pilgrimage to the Holy Land; and he was then guided, for a time, entirely by the advice of Hubert, the Grand Justiciary. He now began the tyrannous exactions which he continued throughout his reign, and, by the advice of Hubert, he made void all the charters of liberties and forests, which for two years before had been observed throughout the whole kingdom.[13] A.D. 1227. The King takes the government into his own hands and begins his oppressions.

The year after the death of Louis VIII., Richard, Earl of Cornwall, returned from France; and very shortly after his return he had a dispute with the King about the castle of Berkhamsted, which belonged A.D. 1227. Richard returns to England.

Henry III. A.D. 1227. to him, but which the King, in his absence, had given to a German. A number of barons, who were discontented with the King and with De Burgh, on account of his exactions, supported Richard, and the King was obliged to enter into a compromise with him.

A.D. 1228. During the following year (A.D. 1228) the King was occupied in repressing incursions of the Welsh;

Shipping. (Royal MSS. E. G. 6. 348. Brit. Mus.)

A.D. 1229. War with France begins again. but in the year after (A.D. 1229) the war with France began again. In the spring of that year, "the Archbishop of Bordeaux came to him from the nobility of Gascony, Aquitaine, and Poitou, as also messengers from those of Normandy, to solicit him to come in person to those countries, assuring him that they would all be ready with horse and arms to assist him in recovering his ancient inheritance."[13a] Hubert de Burgh, for some reason which it is difficult to assign, advised the King to refuse their offers; but, at the following Michaelmas, Henry made great preparations to invade France. In September, he went with his army to Portsmouth

to embark, and he was there joined by the barons of England and Ireland, and by the princes of Wales. But, either by accident or design, when all were ready to embark, it was found there was not enough shipping to convey one half of the army, and the expedition was obliged to be given up. This greatly vexed Henry, who blamed De Burgh as being the cause of this failure. Henry III. A.D. 1229. Expedition postponed by want of shipping.

In the next year, the clergy "gave the King a great sum of money for recovering his rights which were taken from his father beyond the sea, and upon the same account the citizens were put to a grievous ransom, and the Jews forced to pay a third of their substance."[14] In April, Henry sailed for France; but after a few months of inglorious warfare, he returned to England. A.D. 1230. Henry goes to France, but soon returns without glory or profit.

Disgrace of De Burgh, the King's Marriage, History of new Favourites, and Opposition of the Barons.

Henry soon wanted more money, and in 1232 he demanded an aid to resist the inroads of the Welsh. The storm of anger which had been brewing for several years now burst on Hubert's head. The barons accused him of avarice, and of mismanaging the King's property for his own benefit; and they said that if the King wanted money, he could get it from Hubert, and his relations. Henry acted on this suggestion, and called on Hubert to give an account of all the wardships he had held; of the rents of the royal demesnes he had received; and of all the aids and fines which had been paid into the exchequer. Hubert was granted a few months' delay to prepare his answer, and in the meantime, he escaped for safety to the Priory of Merton. Before the expiration of the A.D. 1232. The barons being asked for money, tell the King to get it from Hubert de Burgh. Hubert disgraced.

Henry III. A.D. 1232.

time allowed him, he went to Bury St. Edmunds, to visit his wife. When the King heard of this, supposing that Hubert designed to escape altogether, he sent down a body of armed men to take him prisoner. On hearing of their approach, he took refuge in a church, where he awaited them, with the cross in one hand, and the host, taken from the altar, in the other. The sanctity of the place was not respected, and he was dragged from the altar, bound on the back of a horse, and taken to the Tower of London. The Bishop of London was much incensed at this sacrilege, and, on his remonstrance, the King ordered Hubert to be restored to the church; but he also directed that the church should be surrounded, so that Hubert could neither escape nor receive food. He therefore soon gave himself up to the King, and was again taken to the Tower. The King now discovered that Hubert had much treasure lodged with the Knights Templars in London, and accordingly, he demanded that it should be given up to him. Hubert, of course, could not refuse, and the receipt of the money seems to have softened the King's heart; for soon afterwards he regranted him all the lands which his father had given him, and also those he had purchased. Nevertheless, he sent him prisoner to the castle of Devizes.[15]

Takes refuge in a church.

Is dragged from the altar,

but is taken back.

The church is watched.

Hubert surrenders.

Peter des Roches had returned from the Holy Land some time before the fall of Hubert, and had been received by the King with great marks of affection. He had been the tutor of his youth, and probably the King had really a personal regard for him. On the fall of Hubert, therefore, Henry restored Peter to his confidence. The restored favourite now persuaded the King to dismiss the English from their custody of the royal castles, from the administration

Peter des Roches restored to favour.

The English dismissed from power, foreigners promoted.

of justice, and from the great offices of state; and to place his foreign countrymen in their stead. Henry III. A.D. 1233.

The barons, acting under the advice of Richard Earl Mareschal, son of the great Earl of Pembroke, remonstrated boldly, refused to attend the King's summons to Parliament, and declared, "That unless the Bishop of Winchester and the Poitevins were forthwith removed from his court, they would, by the Common Council of the kingdom, force both him and those evil counsellors out of the kingdom, and would consult about creating a new king." [16] The King and the Bishop of Winchester would not listen to reason, but, on the contrary, insulted the barons. The son of the Earl of Pembroke heads the barons' opposition.

Then ensued a series of contests between the King and the barons; faithless promises on the part of the King; Hubert de Burgh escaping from prison and joining the insurgents, the clergy uniting with the barons in their resistance to the King's tyranny, and excommunicating the King's friends, including even the Bishop of Winchester. At length the King was obliged to yield. He dismissed Peter the Poitevin back to his bishopric of Winchester [17], and treated his former favourites with great, but probably well-deserved, severity; and received back into his favour Hugh de Burgh, and some of the principal insurgents. Thus did the fickle Henry yield to every storm, and trim his sails to every wind; well satisfied if only he could reach his desired haven, the money-bags of his subjects. A.D. 1234. The King again yields.

To narrate in detail the history of these conflicts would be tedious and uninteresting; but in themselves they are important, as they were the clear, though unheeded, forerunners of the slowly approaching day of retribution.

Henry III.

A.D. 1236.

The King marries, and at once begins again his foreign favouritism.

On the 14th day of January, 1236, the King married Eleanor, daughter of Raymond Count of Provence, and the marriage was celebrated with great pomp. But, alas! the King immediately forgot the severe lessons he had received in the matter of favouritism and foreigners, and made the Queen's uncles his chief favourites and advisers, and received back to his favour those whom, to appease the barons, he himself had branded as traitors.[18] Of course the barons were outraged by such conduct, and having discovered the power they possessed over the King by means of holding his purse-strings, they took the first opportunity of exercising it. The opportunity soon came. The Christmas following, he summoned his Council to meet him, and endeavoured by fair promises to persuade them to grant him an aid. They refused compliance, till he added three barons of their own party to his Council, and then only on the condition, "That from thenceforward the King should reject the counsels and advices of foreigners and strangers, and adhere to those of his faithful and natural subjects; and that the money collected should be secured in some abbey, church, or castle, that so, if the King should recede from his promise, it should be restored to every man again."[19]

A.D. 1237.

The barons resist.

The King again yields.

The history of the next few years, is simply a history of the King's fickleness and faithlessness, of his subserviency to the Pope, and of the bold opposition of the clergy to the Pope's extortions. A few instances must be narrated. Hubert de Burgh, who had been reinstated in the King's favour, got into disgrace in 1237, by marrying his daughter, without the King's consent, to his ward, the Earl of Gloucester; but he regained the King's favour by paying him

a large sum of money. Two years afterwards the King accused De Burgh of high treason; but De Burgh made his peace this time by giving up to him four of his best castles. In 1237, the King again sent for the Pope's legate, under pretence of obtaining his assistance in "reforming the state," but in reality to support him against the barons. Two years afterwards the Pope recalled his legate; but the King, fearing the barons would take advantage of his departure, obtained permission for him to remain. The aid which had been granted was collected; but notwithstanding all the caution of the Parliament, the King got possession of it, and squandered it among his foreign friends. It is wearisome to recount all these petty squabbles; but, as I have before said, they are of importance as precursors of the coming storm.

Henry III. A.D. 1237. The King's fickleness; his feebleness; his faithlessness.

The Pope's Oppression of the English Clergy.

I must now turn to matters of more enduring interest; and I shall therefore endeavour to explain to you the nature and origin of the Pope's demands on the Church, and of the spirited resistance made to them by the Roman Catholic clergy of England.

From the earliest times, the clergy had formed a body linked together from the lowest priest to the Bishop of Rome, and, when the feudal system was established, "the constitution of the Church became in a great measure assimilated, in the ideas of the Western Christians, to the institutions of a feudal kingdom. The Pope appeared to hold the place of the sovereign: the Bishops were considered nearly in the light of his barons; and subordinate to the

The relations of the clergy to the Pope

Henry III. A.D. 1240.

bishops stood the inferior Clergy, in the quality of sub-vassals." [49] Again, as the civil sovereign demanded pecuniary aid from his barons, so did the Pope demand contributions from the bishops, who paid their portion and levied the remainder from the rest of the clergy. So long as these demands were moderate they were granted without opposition. But by degrees they increased. The Pope had originally no temporal power, and indeed it was not until the beginning of the 7th century that he made any claims to be regarded as a temporal prince. "In the person of Gregory the Great, the Bishop of Rome first became, in act and in influence, if not in avowed authority, a temporal Sovereign." [48] "The patrimony of St. Peter, in the times of Gregory the Great, consisted in the estates of the churches, which were very large. But this ecclesiastical property was wholly distinct from the temporal dominion of the Popes in Italy, which was entirely the creation of a later age." [56] "By accepting the donation of Pepin, and by subsequent acquisitions," the Popes added temporal to their spiritual power, and "the wars in which they were compelled to engage, sometimes with their own subjects, and sometimes with foreign states, entailed on them expenses far beyond the annual amount of their income." [49a] The Popes consequently made larger demands, sometimes amounting to a tenth or more of the annual income of the clergy. At first, they were made under pretence of prosecuting the Crusades; but somehow or other it was discovered, that every war in which the Pope engaged was for the defence of religion. Thus, to give an English instance, from the present reign. In the year A.D. 1240, the Pope having a quarrel with Frederic, the Emperor of Germany, de-

The Pope levies contributions on the clergy.

Origin of the Pope's temporal power.

The Pope's wars always said to be in defence of religion.

manded contributions, for the purpose of making war against him. But the English clergy refused, saying "that they ought not to contribute anything against the Emperor, because he neither was convicted nor condemned by the judgment of the Church; and that as the Roman Church had its own patrimony, so other churches had theirs also, by the grants and beneficence of kings, princes, and other great men, no ways tributary to the Church of Rome; and likewise that although the care of the Church belonged to the Pope, yet the dominion and property did not."[21] The English clergy had met in the previous year to resist the Pope's oppressions. In July 1239 it is stated "the bishops met at London to consider upon a very great, but difficult undertaking, which was how they might relieve the Church of England from those many oppressions it lay under, by the perpetual exactions of the Pope's legate;" and in answer to his demands, "they briefly answered, that the Church had so often been squeezed by him and others from Rome, that they could endure it no longer."[19a]

Henry III. A.D. 1240. The English clergy resist.

For some time neither the King nor the barons interfered in these disputes with the Pope; but at length Henry felt that if the clergy were impoverished, the burthen of taxation would fall entirely on the laity, and that consequently he would find greater difficulty in raising money. The barons on their part also felt that if the King squeezed less out of the clergy, he would squeeze more out of the laity. The King and the barons therefore took part with the clergy, and the Pope (Innocent IV.) made promises of moderation. But his necessities soon compelled him to increase his demands, and in A.D. 1246 he levied a heavy contribution on the clergy. The King and the

The King and the barons for a time take no part with the clergy, but at last they support them, and all unite to resist the Pope's demands.

Henry III. A.D. 1246.

barons, for a time, sided with the clergy. As expressed by an old historian, "On Mid-Lent Sunday the same Parliament of the whole kingdom met at London according to summons, where the King conferred with the bishops apart, the earls and barons apart, as also the abbots and priors apart, concerning the means how to redress the grievances of the nation, proceeding from the exorbitancies of the Roman Court."[2] The conclusion was, however, very lame and impotent. They agreed simply to supplicate the Pope to desist from his oppressive exactions. As might be expected, the Pope did not yield. "He sent his Apostolic commands to the bishops, that some of them should find fifteen, others ten, and others five stout and brave men, well horsed and armed for one year, as the Pope should direct."[3] This was to assist him in his war against Frederick, Emperor of Germany, whom he had deposed. The Pope, fearing opposition from the King, ordered the bishops to keep secret his exactions, under pain of excommunication.

They supplicate the Pope, who makes further demands.

They informed the King, however, and two barons were consequently sent to Rome to induce the Pope to moderate his demands. This was not the way to succeed; and it did not succeed. The Pope insisted; the King resisted for a while, but at last yielded. Then came fresh demands from the Pope, resistance on the part of the King, and finally, in 1247, submission of the clergy to the Pope's demands. The King finding that if the Pope pillaged England, he himself could get no money from his subjects, summoned "the whole nobility of the kingdom to meet at Oxford to consult about it, but especially the prelates, that they might consider how the Church should be relieved from these oppressions. And although some of the prelates had

The King yields.

The King, the nobles, and the clergy again meet,

resolved to refuse the aforesaid contributions, yet their hearts failing them when they met, they, contrary to all expectation, consented to a contribution to the Pope of 11,000 marks."[22] This is about 22,000*l.* of our money, but if its amount is calculated according to the comparative price of corn, it would be at least 100,000*l.*

Henry III. A.D. 1247. but the clergy fear and yield.

Other Oppressions of the Pope.

There was another grievous oppression under which the Church laboured, viz., the appointment of foreigners to vacant benefices in England. To so great an extent was this carried, that in 1240 "the Pope sent his precepts to the Archbishop of Canterbury and to the Bishops of Lincoln and Salisbury, commanding them to prefer no less than 300 Romans or Italians to the first vacant benefices in England, and not to collate any others till they were all sufficiently provided."[20] Many of these foreigners were ignorant of the English language. After strong remonstrances, the Pope (in 1247) agreed that no Italian should be beneficed without the King's previous consent, which he doubtless believed he should have no difficulty in obtaining, and many foreigners were still appointed. All this while the King himself was accused of defrauding the Church of her proper revenues, by keeping bishoprics and livings vacant for years, in order to appropriate the revenues to himself in the meanwhile.

The Pope appoints hundreds of foreigners to vacant livings.

Henry keeps livings vacant to obtain the revenues.

It is difficult and tedious to attempt to unravel these constant plots and counterplots, oppressions and resistances. But one conclusion may be safely drawn, viz.: that the Pope and the King were always trying who could extort most from the English

Henry III. A.D. 1247. nation, and that each yielded or resisted according as seemed likely to promote his own ends.

War again with France, and the Appearance of Simon de Montfort.

In the year A.D. 1247, the King sent ambassadors to France to demand the restitution of Normandy; but all the answer they could get was, "that the King of France had been in quiet possession of it for forty years, and that the French King had most right to it, because King John had undergone the judgment of his peers."[23]

Simon de Montfort, Earl of Leicester,

A nobleman now first appeared on the scene, who, a few years subsequently, became the most important person in the whole kingdom. I mean Simon de Montfort, Earl of Leicester. He was the son of a French nobleman who had married a sister of the Earl of Leicester, and he was one of those foreigners whom Henry had brought over and made his favourites. To the great anger of the native barons, the King privately gave him in marriage to his sister Eleanor in A.D. 1238, and in the following year created him Earl of Leicester. In A.D. 1249, the King sent him over to France to endeavour to recover, by force of arms, those provinces which his ambassadors had failed to obtain by persuasion. De Montfort invaded Gascony, and met with great success; but he was obliged to return to England in A.D. 1251 to get money and more men. He had gone over at his own cost, the King probably not being able to furnish him with means, as he had been refused supplies by his Council the year previously. Simon de Montfort obtained 300 marks from the

marries the King's sister;

goes to France to recover the provinces;

has great success,

King [26]; gathered together what he could from his own tenants, and returned to Gascony the following spring, as governor of the province. Again he had great success, and again he returned to England in great triumph for a short visit.

Henry III. A.D. 1252. and is made Governor of Gascony.

Simon de Montfort ruled Gascony with a strong hand, and consequently the nobles complained to Henry of his tyranny. Henry sent to inquire into the truth of the complaints, but his messengers reported that, although they found some who had been severely treated by the Earl, yet it was only according to their deserts. Simon de Montfort would, therefore, have been acquitted of the charges brought against him, had it not been for the weak fickleness of the King. Henry was very jealous of his brother Richard, Earl of Cornwall, because he opposed his system of favouring foreigners; and when he found that he was one of De Montfort's supporters, he suddenly turned round on De Montfort and called him a traitor. A violent quarrel now ensued between the King and Simon de Montfort, who told the King "he lied, and were he not a King he would make him eat his words." [27] The quarrel was nevertheless patched up, and De Montfort returned to Gascony. No sooner was he gone, however, than (in 1252) the King made his son Edward governor of Gascony. De Montfort's strong hand being removed, the Gascon nobles revolted, and Henry himself went over in 1253 to put down the rebellion. "By the end of the summer the King had recovered all his castles in Gascony, either by force or composition. In the meanwhile, De Montfort came with some troops of his own, and offered his service to the King; which when the rebellious Gas-

The Gascon nobles complain of his severity.

The King quarrels with De Montfort.

The quarrel is patched up, but the King appoints Prince Edward Governor of Gascony.

Henry goes to France in A.D. 1253.

Henry III. A.D. 1253.

coignes understood, they, dreading the earl's great courage, by degrees returned to their allegiance. Yet the King continued all this winter in France." [28b]

The King's Struggles with the Barons.

The King's struggle with the barons goes on.

During the whole of this time, while the struggle for the recovery of the French provinces was going on, the King was continually engaged in quarrels with his barons for supplies, and in oppressions to extort money.

The King's extremities for money.

He was occasionally reduced to great extremities. In 1248 he was obliged to sell his jewels, his plate, and even his household utensils.[24] It is probable that his ordinary revenue was not enough for his necessary expenditure; but yet, regardless of his straits for money, and regardless of the promises by which alone he had obtained grants of supplies, he increased his expenses by his favours to foreigners, by his constant wars with France, and by his ambitious projects for his sons.

Refusal of supplies becomes the constitutional mode of obtaining redress of grievances.

His Parliaments were, however, continually willing to grant him supplies on condition of his redressing their grievances, and abiding by his promises to rule according to the Charter. But, unfortunately, whenever he got the money he forgot the grievance; and so prepared the way for the coming rebellion. Thus too he laid the foundations of the constitutional mode of obtaining redress of grievances, which prevails to this very day.

The King abuses his privilege of proclaiming fairs.

In A.D. 1248, he caused a new fair to be proclaimed at Westminster. These fairs, as I have already stated, were privileges belonging, some to the King, and others to the barons and nobles of the land, and were sources of considerable revenue, and also of great oppression. When Henry proclaimed this *new*

fair at Westminster, which was to last for fifteen days, "he prohibited all other fairs, that used to be kept at that time of year, throughout all England, and also all trading in the city of London, both within doors and without, during that time, that so this fair at Westminster might be the more plentifully stored and frequented with all sorts of people and commodities; which oppression highly incensed the city at that time."[24] Two years after, in 1252, he again proclaimed this fair at Christmas, and thus increased the anger of the citizens at his oppressions. "He made them shut up their shops fifteen days together, and carry their commodities to St. Edward's fair, and there to remain all day in tents and booths, exposed to the rain and cold (it being presently after Christmas). These things caused great heartburnings and discontents among the citizens."[28] Henry III.

The forest laws were administered, too, with great severity. In 1250 Henry sent an officer to inquire into transgressions against the forest laws, "which charge," says an old chronicler, "he executed with that violence and extortion as exceeded belief, clapping up gentlemen in prison for but muttering against his unjust proceedings, and ruining divers of the best quality for killing but a deer or a hare, albeit it were in the very highway."[25] It is indeed sad to relate the history of this reign, as it is nothing but a history of the King's oppressions and treachery on the one side, and of the persevering resistance of the barons on the other. The forest laws administered with great severity.

While the contest with France was proceeding, the King endeavoured to raise money for another purpose. He had vowed to undertake an expedition to the Holy Land, and, about Easter in A.D. 1253, he

Henry III. A.D. 1253. called a Parliament together, and demanded a great sum of money for this purpose. The money was granted, after much altercation, on condition that the King should govern according to the Charter, and a day was appointed when he and his nobles might take a solemn oath to that effect. Accordingly, on the 3rd of May, the following solemn scene took place. The Archbishop of Canterbury, and the rest of the bishops, assembled in their full robes, holding lighted candles in their hands, and excommunicated and anathematised, with bell, book, and candle, all those that opposed, violated, diminished, or changed the Liberties and Customs of the kingdom. The King laid his hand on his breast, and said, "So may God help me, as I inviolably observe all these things;" but he refused to hold a candle. The bishops and the nobles, who also held lighted candles, then put out their candles, and threw them smoking on the ground, in token, that those who broke their oaths, might so smoke and stink in hell. No sooner, however, was the Council dissolved, than the King contrived how he might break through all those things he had lately granted.[28a]

Solemn scene on the occasion of the King again swearing to observe the Charter.

The King again breaks his oath.

Henry's Ambitious Projects for his Son.

I must now give an account of Henry's foolish ambition for the aggrandisement of his son Edmund.

The kingdom of Sicily offered to Henry's son.

The kingdoms of Sicily and the South of Italy, called Apulia, were made fiefs of the Holy See by their Norman conquerors; that is, the Pope became their feudal lord. These kingdoms had been held of the Pope by Frederic, Emperor of Germany; but in consequence of his wars with the Pope he was adjudged to have forfeited them, although he kept possession of

them till his death in 1250. The Emperor left three sons — Conrad, King of Germany, by his first wife; Henry, by his second wife, who was sister of Henry the Third of England; and an illegitimate son, Manfred. The Pope was desirous that the throne should not again be occupied by an Emperor of Germany; and offered the kingdoms to the Earl of Cornwall. On his refusal to accept them, the Pope made a similar offer to the King for his son Edmund. Henry refused, as he did not wish to oppose the claims of his nephew, and, doubtless also, because he had no money to spare. The Emperor's eldest son, Conrad, was determined not to give up his claim to the throne without an effort, and marched from Germany at the head of his army. He took Apulia, and was preparing to invade Sicily when his brother Henry died. The Pope immediately urged the King of England to take advantage of this circumstance, and to accept the crown for his son; to which the King foolishly agreed. But he was unable to fulfil his agreement, as the barons refused to supply the necessary means. Conrad now died, and Manfred seized the throne, defeating the Pope's troops, who had resisted Manfred's pretensions during the negotiations with Henry. The Pope still endeavoured to persuade Henry to raise an army, and march to his assistance, offering to absolve him from a vow he had made to engage in a crusade to the Holy Land if he would consent. Henry would willingly have complied, but he could get no money from the barons. Nevertheless, Henry would not give up the Sicilian crown, and promised to land with an army the following year. He also bound himself to pay all the expenses of the war, which had, up to that time, been incurred by the Pope. The year 1256 came;

Henry at first refuses the offer,

but at last accepts it, but cannot obtain a grant of money to enable him to take possession.

Nevertheless he binds himself to pay the Pope's expenses,

Henry III. A.D. 1256.

but the King was unable to send an army, or to pay the Pope's debts. The Pope complained of Henry's nonpayment, and the King tried by every means to raise the money. But the barons very properly disapproved of his making a war, which he could not afford, to place his son on the throne of Sicily; and they could not be moved. Henry then, assisted by threats of excommunication by the Pope, compelled the clergy to furnish the required sum, and they were forced by every kind of extortion to provide the money.

and extorts the money from the clergy.

The Barons determine to insist on Reform.

The beginning of the end.

All these things now began to produce their fruit. The King's favouritism, his partiality to foreigners, his oppressions, and his faithlessness, could be borne no longer. The barons resolved to make a determined stand; and a circumstance which now occurred gave them an opportunity of more easily carrying their plans into execution.

The barons make a determined stand.

The Earl of Cornwall being made King of the Romans,

Henry's brother, Richard Earl of Cornwall, was elected, in 1256, King of the Romans. He was believed to be the richest Prince in Europe; having carefully husbanded his revenues; and he was unable to resist the temptation of being made a king. Early in 1257, he went over to Aix-la-Chapelle to be crowned, and in the following year he took possession of his new dominions. Richard had frequently joined with the barons in opposing his brother, but he always supported what he considered the just rights of the Crown. His absence therefore left the barons free to follow their own course, and under the guidance of the Earls of Hereford and Gloucester, and of Simon de Montfort, Earl of Leicester, they associated themselves together to reform the state.

the barons are left to follow their own courses without control.

Henry III.
A.D. 1258.

The circumstances of the times were favourable to their views. An unproductive harvest in 1257, had been followed by a general scarcity, and the people attributed their sufferings to the incapacity of their governors, rather than to the inclemency of the seasons.

A council called, which the barons attend in armour,

In May 1258, Henry called a great council at Westminster, and the barons assembled in the hall in complete armour. When the King entered, they put aside their swords; but Henry, alarmed at their appearance, exclaimed, "Am I then your prisoner?"

Baron in Armour. (Eccleston's English Antiquities, p. 183.)

"No, Sire," replied Roger Bigod, Earl of Norfolk, "but by your partiality to foreigners and your own prodigality, the realm is involved in misery. Where-

Henry III.

A.D. 1258. and demand that the government shall be intrusted to a committee. The King yields.

fore we demand that the powers of government be entrusted to a committee of barons and prelates, who may correct abuses and enact salutary laws." Henry was obliged to yield. He agreed, to request the Pope to send a legate to England, to modify the terms on which he had accepted the Kingdom of Sicily for his son; and, also, to give a commission to reform the state, to twenty-four prelates and barons. Half of these were then chosen from his own Council, and the other half were to be chosen by the barons, in a Parliament to be holden at Oxford. On these conditions the barons agreed to pay the King's debts, and to support the claims of Edmund to the throne of Sicily.

On the appointed day, June 11th, the Parliament met at Oxford. It has unjustly received the name of "the mad Parliament," but it would be well if all Parliaments had been equally wise; and it is certain that from this Parliament sprang those reforms which resulted eventually in the present constitution of Parliament, as I explained in my second Lecture. The Committee of Reform was appointed; and every member was sworn "to reform the state of the realm, to the honour of God, the service of the King, and the benefit of the people; and to allow no consideration, neither of gift nor promise, profit nor loss, love nor hatred, nor fear to influence him in the discharge of his duty." The Committee then proceeded to appoint fifteen persons to form the Council of State for the government of the country, and to make other arrangements called "the Provisions of Oxford," by which the King and Prince Edward agreed to abide.

The Committee appointed.

Council of State and Provisions of Oxford.

New officers of State appointed.

The principal officers of state were dismissed, and others appointed in their stead. The Grand Justiciary, the Chancellor, the Treasurer, all the sheriffs

and the governors of the twenty principal castles belonging to the King, were removed, and their places were supplied by the friends of the reformers. All the new officers of state took oaths to govern according to the regulations of the Committee. The governors of the castles swore to keep them faithfully for the use of the King, and to restore them to him on the receipt of an order from the Council, and at the expiration of twelve years to surrender them loyally on the demand of the King. The Committee then ordered that four knights should be chosen by the freeholders of each county, to ascertain and lay before the Parliament all the injuries committed within the county during Henry's reign; that new high sheriffs should be appointed annually by the votes of the freeholders; that all sheriffs, the Treasurer, the Chancellor, and the Grand Justiciary should give in their accounts annually; and that Parliaments should meet three times a year.

Henry III. A.D. 1258.

Reform of Parliament.

These were all most reasonable reforms, and had nothing of revolutionary violence about them; and it says much for the wisdom and moderation of De Montfort and his associates, that they were not tempted by their possession of uncontrolled power, to abuse it, to gratify revenge, or to promote their own personal advantage.

The reformers deserve great praise for their moderation.

The reformers did not proceed without a good deal of opposition from some of the barons, and from some of the King's relations; but, by his energy and activity, De Montfort compelled them to submit, and to take the oaths of obedience to the Council; and even Edward, the King's eldest son, was obliged to follow their example. In January, 1259, De Montfort was alarmed at hearing that the King's brother Richard,

A.D. 1259.

Henry III.
A.D. 1259.

the King of the Romans, was on his way back from Germany. Richard had squandered away great sums of money, and was coming to England to raise money from his estates. De Montfort feared he might take part with the King, and would not allow him to land until he had taken an oath of obedience to join with and assist the barons "to reform the Kingdom of England, hitherto too much out of order by the Council of Evil Men." [29]

The Earl of Cornwall returns, but is not allowed to land until he has sworn to obey the new government.

The barons become impatient for the promised reforms.

The barons themselves now began to be impatient for the promised reformation of abuses. The changes already made were only the machinery by which the expected reform was to be carried into effect. By the original agreement, the reforms were to have been made before Christmas, 1258; but Simon and his friends either found their task more difficult than they had expected, or they may have been unwilling to divest themselves of any part of their power.

Plan of reform proposed, which disappoints the barons, but unjustly so.

In October 1259, a plan of reform was enacted by the Parliament; but, although it provided a remedy for a crying evil, the maladministration of justice, and protection to the villeins against oppression, it disappointed the nation, and caused a reaction in favour of the King. "Its principal objects were to secure the inferior tenants from the oppression of their lords, and to purify the administration of justice. This latter object was to be brought about by the appointment of commissioners to inspect the conduct of the judges. Two were to attend in the King's Bench, two in the Exchequer, and one to attend each itinerant justice on his Circuit. With the same view four knights were chosen to admonish the sheriff of his duty, and in case their admonition was neglected, they were to inform the Grand Justiciary." [49b]

A jealousy now sprung up between De Montfort and the Earl of Gloucester, and Prince Edward sided with De Montfort. He had a regard for his oath, and was "much incensed against that earl;" [29a] on account of the part he had taken, in an ignominious agreement, which the King, by his advice, had agreed to make with Louis of France relative to an exchange of territory.

Henry III. A.D. 1259. Prince Edward sides with De Montfort.

King Henry had gone to Paris to keep his Christmas with Louis, and he "was splendidly regaled by the King of France, they sometimes feasting together and sometimes treating of affairs of the highest moment;" the principal of which were—the conclusion of a peace between them on condition of Henry surrendering Normandy, for which he was to receive a large sum of money, "with divers fertile and opulent territories in Guienne and Gascony in exchange;" and —"doing homage for those countries which he was to enjoy under the title of Duke of Aquitaine." But the two Kings had other occupations, of which an amusing account is given by a contemporary chronicler, a transcript of which by Rymer is preserved in the British Museum. It seems that the French Parliament was assembled for the transaction of business, but on the first day, the French peers were kept waiting all day, in expectation of Henry's presence. Henry, however, had been so detained, by stopping to hear masses, at every church which he passed, on his way from his lodging at St. Germain to Louis's palace, that he did not arrive till it was too late to begin business. The same thing occurred on the following day. Whereupon, Louis sent private orders to the priests of the churches on the King's route, to keep them shut till he had passed. Henry accordingly

King Henry visits St. Louis,

and agrees to an exchange of territory.

Delight of the two Kings in religious observances.

Henry III. A.D. 1259.

reached the palace quite early on the third day. At first he declined joining in the business of the Parliament, on the ground that the town was under an interdict—as he discovered by the churches being closed. Whereupon Louis explained the reason of it. Louis then asked Henry why he so delighted to hear masses. He replied, "Why do you so delight to hear sermons?" Louis answered, "Because he found it good and agreeable, to hear frequently concerning his Maker." Henry returned, "And to me it is better and pleasanter, to see my Creator than to hear of Him." The two Kings then agreed to allow the peers to transact the affairs of the Parliament, whilst they enjoyed their devotions.

Quarrel of De Montfort and the Earl of Gloucester.

Civil war prevented

During the King's absence in Paris, civil war was on the point of breaking out between the parties of De Montfort, supported by Prince Edward, on the one hand, and that of the Earl of Gloucester on the other. This was, however, prevented by the mediation of Richard, the King of the Romans. On Henry's return from France, he found the gates and streets of London guarded, as if in time of war. With a view to put an end to the disturbances, the nobility of the kingdom were summoned to meet the King at Westminster. When the Parliament was assembled, the Prince was reconciled to his father, but neither the Prince nor De Montfort was reconciled to the Earl of Gloucester, who shrank from the attempt to substantiate certain charges he had brought against De Montfort. The Parliament then separated, and the King ordered, that all male persons in the city of London, above twelve years of age, should take an oath of fealty to him. In the autumn, Prince Edward went to France, to be present at a tournament.

Henry III.
A.D. 1261.

The power of the barons was still undiminished, and they proceeded to appoint those of whom they approved, to the great offices of state. The King now "began to grow grievous weary" of the Provisions of Oxford. He never heartily set to work to study the true national interests, and could not bear that his will and his system of foreign favouritism should be curbed. He determined to set himself free, and with this view applied to the Pope for absolution from his oath; he sent over to the King of France for help against his own subjects, and he applied to his son to assist him in getting together an army. He went to the Tower of London, seized the treasure it contained, fortified the city, and again compelled the citizens to take an oath of fidelity to him. He then "took courage, and made the Lord Philip Basset his chief justiciary, against the will of the barons, by reason of which there rose a great discussion between the King and them. But he did not much regard that, for, being now resolved to proceed in the course he had already begun, he went a circuit to all the Cinque Ports, and received the oaths of fidelity from the barons of them; and coming to Dover, he took the government of the castle from Hugh Bigod, and gave it to Edward de Waleran, together with the custody of the Cinque Ports and the county of Kent." [29b]

The King again attempts to free himself from his oaths.

On the arrival of the absolution the King "received it joyfully." When the barons heard of this, they humbly besought the King to observe his oath; but the King, "in a great passion," refused. Nothing, however, was done till Prince Edward returned from the tournament at Paris. When he arrived he refused to accept the absolution. "But when the Prince under-

Obtains absolution from the Pope.

Henry III. A.D. 1261. The Prince remains firm on the barons' side.

stood by what councils his father had been governed he was very angry, and retired from his presence, and adhered to the barons, according to his oath, and entered into a confederacy with them, to search out and drive away from the King, all evil counsellors and their favourers, because that by their instigation the King had been deceived, and those provisions, which the Prince then believed to be beneficial both to the King and kingdom, were now vacated by the Pope's late absolution." [29b]

The King perseveres.

The King, nevertheless, persevered in his course, "being much encouraged to it by the promise which the King of France and his nobility had made him of sending a great assistance." [29c] The barons again flew to arms.[29c] Their great object was to promote their own power, but their selfishness largely aided the progress of liberty. On this occasion the King sent his justices itinerant all over England; but the barons "forbad all men, at their peril, to appeal or plead before them, because they had gone their circuits within less than seven years."[29d] This looks like a denial of justice; but it was not to be forgotten that the King constantly made these justices itinerant the instruments of his oppression; and the King had given the barons ample cause to fear and distrust his every action.

A.D. 1262. Compromise with the barons, which displeases De Montfort.

In the following year, A.D. 1262, a compromise was made between the King and the barons, by which it was agreed that certain of the Oxford Provisions [29e] should be confirmed, and that the rest should be abrogated. De Montfort, who throughout acted more consistently and disinterestedly than the other barons, was dissatisfied with this compromise, and retired to France.

Henry III.
A.D. 1262.

The King thinking he had now settled all the quarrels between himself and his barons, caused the Pope's dispensation from his oath to be publicly proclaimed, and announced that he had resumed the exercise of his royal authority. He then went over to France, with his Queen, for about six months.

A.D. 1263.

De Montfort urges on the King the observance of the Provisions of Oxford.

Prince Edward supports his father.

The following year De Montfort returned, and, with the support of the barons, who had again become dissatisfied, urged that the Provisions of Oxford might be again observed and proclaimed anew throughout the kingdom. The King refused, "insisting upon the Pope's absolution from his oath, and being seconded by the King of the Romans, Prince Edward, and divers other great men."[29f] It thus appears that the Prince considered, that by the compromise with the barons, he was freed from his oath, and that he was now at liberty to side with his father, and he supported him vigorously. He seized a large amount of treasure belonging principally to the citizens of London, which was in the custody of the Knights Templars, and carried it off to Windsor, which was garrisoned by his foreign soldiers.

The barons unwilling to begin a civil war.

"At Whitsuntide a great council of the nobility, headed by the Earl of Leicester, was held at London, where they openly declared against the King and the Prince, as guilty of perjury;"[29g] and then, after again petitioning the King to observe the Provisions of Oxford, they proceeded to open hostility, and obtained possession of a great many towns. Still they again sent a humble petition to the King, "that they might not seem deficient in their duty to him, wherein they desired that the Provisions of Oxford

Henry III. A.D. 1263.

might be observed, since they had been confirmed by his own oath and that of the great men of the kingdom; yet, however, if it could be made appear to the judgment and consideration of worthy and honest persons, that anything in them was prejudicial to the King and kingdom, those things should be annulled; or, if they were obscure, explained, so that what was good and profitable might be preserved and maintained. They further desired, that for the future the kingdom should be governed by the native subjects thereof, as was practised in all other kingdoms." [29h]

The King refuses their reasonable petition.

This was a reasonable petition, but the King, who had shut himself up in the Tower of London, and thought that Prince Edward would come to his relief, refused to accede to it. De Montfort, however, took measures to prevent the Prince from marching to London from Windsor to relieve the King; and Henry, being thus disappointed of relief, thought it prudent to yield. The Queen ineffectually opposed this arrangement; which so much incensed the citizens of London, that, when shortly afterwards she attempted to go to Windsor to join her son, the people, with whom she was very unpopular, insulted her, and prepared to sink her barge with stones; and she was obliged to take refuge in the bishop's palace near St. Paul's.

Prince Edward dismisses his foreign soldiers.

Prince Edward was no party to this compromise with the barons; and, while some of his forces plundered the country round Windsor, with others he marched to Bristol. Here arose a quarrel between his foreign troops and the citizens; and after an ineffectual attempt to make terms with De Montfort, he was obliged to dismiss his foreigners from the kingdom. The King now felt that he and his son must be out-

wardly reconciled to De Montfort; and it was settled, that the Provisions of Oxford should be publicly proclaimed, and inviolably observed, through the whole kingdom. Henry III. A.D. 1263. The King again yields.

A peace being now patched up, Henry returned to France with his Queen, to confer with Louis relative to his disputes with the barons. De Montfort attended the conference; which ended, however, without any result. The King and De Montfort now returned to England; and the King, having called together a Parliament at Westminster, again made fair promises, which De Montfort and his friends refused to accept. They had too much experience of the value of the King's promises, but still some of the barons were willing again to trust him; and Prince Edward, availing himself of this difference of opinion amongst them, succeeded in drawing off some to the King's side.

No sooner did the King and the Prince find themselves stronger, than they began again their attacks on the barons. They surprised Windsor, which had surrendered to the barons; but failed to take Dover. The King then attempted to enter London; but the citizens opposed his entry. De Montfort had raised an army to relieve Dover Castle, if the King had actually besieged it; and he was now encamped at Southwark, to hinder Henry from coming to London. The Prince joined his forces to those of his father, and endeavoured to take De Monfort by surprise; but the citizens flew to his help, and the Royal party failed in their attempt. The King, believing his party to have become stronger, attacks the barons.

The forces of the two parties were now more nearly balanced, and it was agreed on both sides that their differences should be submitted to the

Henry III. A.D. 1263. The King and the barons submit their cause to the arbitration of St. Louis. A.D. 1264. St. Louis gives an unsatisfactory decision.

arbitration of Louis the Ninth, King of France, a Prince of such remarkable piety and virtue that after his death he was called St. Louis. He was son of that Louis, whom the barons had called to their aid, in the reign of King John. Louis held a council at Amiens, on January 23rd, 1264; at which he gave sentence in favour of the King, "and by declaring the Provisions of Oxford to be null and void, restored the King to his ancient power; adjudging further, that the King might nominate his Justiciary, Chancellor, Treasurer, and other officers of the kingdom, as he pleased himself; and that foreigners were as capable of offices and dignities in England as the natives." But he added, "that he did not intend thereby to abrogate the ancient liberties granted by King John's and the present King's charters; of which clause, the Earl of Leicester, and those of his party, taking advantage, would not stand to the king's arbitrement; alleging that it contradicted itself, and, that the Oxford Provisions, and all things that had been acted by virtue thereof, were only in pursuance and corroboration of the said charters." [291]

It left open the principal subjects of dispute.

De Montfort and the barons refused to abide by the award; for which De Montfort is accused of perfidy, by some historians. But the decision of Louis was an unsatisfactory attempt at settling the question; for while, on the one hand, by annulling the Provisions of Oxford, it deprived the barons of the advantages they had gained over the King; on the other by providing that the people should keep their ancient liberties, it left open the very question at issue between the two parties. How could the barons be satisfied if the King were allowed to raise

money for his foreign wars, and to shower down gifts on his foreign favourites, without the control imposed by the provisions of Oxford? How could the people be satisfied unless it were clearly defined what were their ancient liberties? And how could the King expect quiet submission when he was apparently restored to that very position which had been the cause of all the dissatisfaction, and to destroy which, was the object of the provisions of Oxford? Henry III. A.D. 1264.

No wonder De Montfort and the barons refused to agree to this proposition. No wonder they immediately returned to arms. The barons return to arms,

In the north, the King's party was the strongest; but in the south, De Montfort and the barons ruled without dispute. They held London, the Cinque Ports, and all the southern counties. The barons now felt they were engaged in a mortal strife with the King's party. He had deceived them over and over again; he had gained an unfair award, as they thought; and had gained it, they said, by the influence which Henry's sister-in-law, the Queen of France, had over the mind of Louis. Vigorously, therefore, prepared they for the struggle. In London every male inhabitant above twelve years old was sworn to be true and faithful to the barons' cause; and orders were given, that, at the sound of the great bell of St. Paul's, all should assemble in arms, and obey the orders of the barons' officers. The justices of the King's Bench, and the barons of the Exchequer were thrown into prison; and the moneys belonging to foreign merchants and bankers, which for security had been deposited in the churches, were carried to the Tower. and prepare for a decisive struggle.

But, unfortunately, a good cause is often much injured by crime. The poor Jews were always the

Henry III. A.D. 1264. victims, either of kings or rebels, whenever money was wanted. Five hundred of them were seized and put in prison, in order to extort ransom from them. One, named Cockben Abraham, was killed in his own house by John FitzJohn, one of the barons; who, at first, intended to keep all the treasure belonging to his victim, but, afterwards, thought it would be safer to secure one half, by giving the other to De Montfort. Those were curious times, when men who fought for liberty disgraced themselves, one by murdering a Jew for his money, and the other by receiving half the plunder. It was said, that the Jews had been discovered plotting against the barons, in favour of the King; but it is more likely, that the treasure they were supposed to possess, was the temptation to these scenes of cruelty and injustice.

Alas! The barons stain their hands with cruelty to the Jews.

Henry, on his return from France, whither he had gone to attend the council at Amiens, called together his adherents at Oxford, and took the field at the head of a formidable force. The lords of the Scottish borders joined him. He began successfully. He took Northampton, Nottingham, and Leicester, three of the strongest fortresses belonging to the barons. Prince Edward took Tutbury; and, says an old chronicler, "wherever the army of the King and Prince advanced, three companions attended it, rapine, fire, and slaughter." Henry was then called to the south to relieve his nephew Henry, the son of Richard the King of the Romans, who was besieged in the castle of Rochester. At his approach the army of the barons fled. Henry next took Tunbridge; ravaged the sea coasts, and then took up his quarters at Lewes in Sussex.

Henry's preparations,

and success at first.

De Montfort now prepared to bring the contest to

a decisive issue. He added 15,000 citizens of London to his army, and marched from London against the King. When he arrived at Fletching, a few miles from Lewes, he sent a letter to the King; stating, that he and the barons, had not taken up arms against the King, but against the evil counsellors, who had abused his confidence. Henry, in return, declared that the barons' charges were false, and defied De Montfort to single combat. This was a feudal formality which it was necessary to observe.

Henry III. A.D. 1264.

De Montfort prepares to attack the King at Lewes.

De Montfort then made ready for battle. He addressed his followers, telling them that theirs was a righteous cause; for, they were fighting in defence of their liberties, against a King, in whose oath they could not trust, as he had broken it again and again. He then told them, to put white crosses on their breasts, and to pass the evening, in the exercise of their religious duties.

He makes ready for battle.

The following morning (May 13th, 1264), De Montfort marched forth to battle. The King's scouts watched his movements, and the royal army was ready for the fight. The Londoners began the attack. They were full of courage and impetuosity, but, unused to war, they rushed on rashly. Prince Edward received them, and soon put them to the rout. They fled in haste, and the Prince pursued them, but as rashly and impetuously, as they had rushed to the attack. He hated them for their attack on his mother, and was greedy of revenge. He pursued them with great slaughter for several miles, and thus deprived the King of support, when most needed. On his return to the field of battle, the fight was done, the King a prisoner, and the royal cause was ruined. When Edward started in pursuit of the Londoners, De

The battle of Lewes. May, 13.

The Londoners rush on and are put to flight by Prince Edward,

who pursues them rashly, and thus loses the battle.

Henry III. A.D. 1264. Montfort fell on the King's forces with the rest of his army, and utterly routed it. Henry, whose horse had been killed under him, surrendered, and was taken prisoner to Lewes Priory; his army was dispersed, and his cause was lost. Five thousand men are said to have fallen on each side.

The King is taken prisoner.

A treaty called "The Mise of Lewes" was now concluded between the King and the barons; by which it was agreed that the two princes, Edward and Henry, should be kept in custody as hostages for the peaceable conduct of their fathers, the King and his brother Richard, King of the Romans. All other prisoners were to be set at liberty. De Montfort, however, kept the King in his own custody; and sent King Richard with his son Henry prisoners to the Tower. Prince Edward was confined, first in Wallingford, and afterwards in Dover Castle, of which Henry, De Montfort's eldest son, was appointed governor.

The princes also are kept prisoners.

Simon de Montfort rules the kingdom in the King's name.

De Montfort now exercised all the powers of a King. Henry was King in name, but Simon de Montfort, Earl of Leicester, was King in deed. It was agreed, that the King should give up his power of choosing his councillors, to a committee of three; of whom De Montfort, of course, was one; the others were the Earl of Gloucester and the Bishop of Chichester. To them the King gave authority, to appoint in his name, a council of nine, who were to exercise all the usual powers of government. In order to avoid a repetition of the abuses which had caused the war, it was ordered, that no foreigner, though he might come and go peaceably, should be appointed to any office; that all the ancient and laudable customs of the realm should be observed, and

that three of the bishops should be appointed to reform the state of the Church, and to procure for the clergy, compensation for their losses during the late troubles. Henry III. A.D. 1264.

But De Montfort soon found that his power was not to remain undisputed. Henry's Queen, Eleanor, had escaped to France, and had collected a numerous army to invade England, and deliver Henry from the barons. The friends of Henry, and the enemies of De Montfort, flocked to her standard, and a numerous fleet was assembled at Damme, a fortified town in Flanders, near Bruges, to convey the army to the English shores. The Queen tries to come to the King's help. She collects an army in Flanders.

De Montfort was equally active. He collected together the whole force of the kingdom on Barham Downs, near Canterbury. The military tenants were ordered to bring into the field, not only the force specified by their tenures, but all the horsemen and infantry in their power. Every township was compelled to send eight, six, or four footmen, well-armed with lances, bows and arrows, swords, cross-bows, and hatchets, who should serve forty days at the expense of the township; and the cities and boroughs, received orders, to furnish as many horsemen and footmen, as the sheriff might appoint. No excuse was to be allowed, on account of the shortness of the time, the approach of the harvest, or any other private inconvenience. De Montfort himself took command of the "channel fleet," and cruised about, in readiness for the approach of the invaders, watching the Flemish ports, to attack the ships immediately they left the harbours. De Montfort prepares to defend himself, and collects a fleet to attack her on her passage across the sea.

The Queen's fleet was detained by contrary winds, and was prevented leaving port by De Montfort's

Henry III. A.D. 1264.

vigilance. Her soldiers were many of them hired troops, who had engaged to serve her only for a limited time; and when that time had expired they disbanded themselves, and her whole army melted away.

The Queen's army disbands itself.

The Pope tries to help the King.

The Pope, too, made vain efforts to support Henry against the barons. He sent Cardinal Guido to take him under his protection; but before the bishop had embarked from Boulogne, he was told that his life would be in danger if he ventured into England. He therefore contented himself with excommunicating the barons, and with summoning four of the bishops, to meet him at Boulogne, to be the bearers of the excommunication. The bishops were on De Montfort's side; but they feared to disobey the cardinal, and accordingly they obeyed the summons. They took back the bull of excommunication, but allowed it to be taken away from them on their landing at Dover.

De Montfort is urged to release the princes.

The King's friends now continually urged De Montfort to release the princes; and in the autumn of 1264, he summoned a Parliament to meet after Christmas, to consider what should be done. To this Parliament, burgesses from towns were for the first time summoned. This was undoubtedly the beginning of popular representation, and the origin of the present House of Commons, as I explained in my Second Lecture.

Parliament summoned to which town burgesses are for the first time returned as members.

A.D. 1265. Origin of the House of Commons,

The Parliament met on the 21st of January, 1265, and decided that Prince Edward should be released from confinement and join his father, who was still under the charge of De Montfort; but that he should still remain in charge of his keepers. It was not considered safe, to grant even this liberty, without

Parliament decides that Prince Edward

the surrender to De Montfort, of the county of Chester and some castles belonging to the Prince. It was also enacted, "by common consent of the King, his son Edward, the prelates, earls, barons, and commonalty of the realm," that the charters and ordinances should be strictly observed—so necessary did the barons feel it to be to take every care to protect their liberties. It was further arranged, that the King and the Prince, should both swear, to observe these and other conditions; and also, neither to ask the Pope to absolve them from their oath, nor to make use of such absolution, even were it granted, without their asking. Henry's repeated acts of perfidy rendered these precautions indispensable.

Henry III. A.D. 1265.

shall be released.

Securities taken from the King and the Prince.

Soon after these events, De Montfort lost the support of the most powerful of his friends, the Earl of Gloucester. He had imprisoned the Earl of Derby, on a charge of plotting with the royalists; and Gloucester, fearing the same fate, and probably equally open to the same suspicions, separated himself from De Montfort, and espoused the cause of the King. The records of these times are too scanty, to enable us to understand the frequent changes in the conduct of the leading men. It is supposed by some historians, that De Montfort's ambition, was the cause of the defection of these two noblemen, but it is equally probable, that they were only jealous of his power. Be this as it may, the loss of these two supporters was the beginning of De Montfort's rapid fall. Gloucester now brought back from exile Roger Mortimer, Earl of Wigmore, a brave baron, one of the King's staunch adherents, who had been almost perpetually at war with the Welsh. Other royalist barons returned with him. Both parties now pre-

The Earl of Gloucester deserts De Montfort.

The King's party increases.

Henry III. A.D. 1265.

pared to renew the contest; but, to prevent the shedding of blood, a reconciliation was effected, and four umpires were appointed to settle their differences.

The Prince escapes,

While these negotiations were going on, Prince Edward made his escape. De Montfort had marched with his forces to Hereford; taking the King and the Prince with him. The Prince was allowed one day to ride outside the town with his keepers, and they rode races to try the speed of their horses. A little before sunset a horseman, mounted on a grey charger, appeared on a neighbouring hill, waving his bonnet. This was a signal previously agreed on between the Prince and his friends; and the Prince, having found that his was the fastest horse, instantly galloped off towards the strange horseman. The keepers followed, but were soon left behind, and the Prince escaped.

and joins the Earl of Gloucester.

The next day the Prince met the Earl of Gloucester at Ludlow, and it was settled that they should unite to set the King free. But even Gloucester thought it necessary, to make the condition, that the King should govern according to the laws, and exclude foreigners from his council.

De Montfort summons the military tenants of the Crown,

When De Montfort heard of the Prince's escape, he issued writs to the military tenants of the crown, summoning them to meet him at Worcester. But the King's party was not inactive, and determined

and the Earl of Gloucester takes measures to prevent their junction with De Montfort.

to cut off De Montfort's communication with the rest of England by preventing his crossing the Severn. They accordingly deepened the fords, broke down the bridges, and took possession of Worcester and Gloucester: De Montfort felt he was within their toils, and waited at Hereford for the arrival of the

military tenants, and of some Welsh troops agreed to be furnished by Llewellyn, Prince of Wales, with whom he had made an alliance. His plan was to get to the sea-coast and cross the Severn in boats. When his forces were gathered together, he marched on Monmouth, which he took, and destroyed its castle; and established his head-quarters at Newport in Monmouthshire. Here he waited for the fleet of transports which were to take him to Bristol; but the Earl of Gloucester had blockaded the mouth of the Avon, and prevented their joining him. Prince Edward attacked Newport and drove out De Montfort, who escaped with his followers into Wales, taking the King with him.

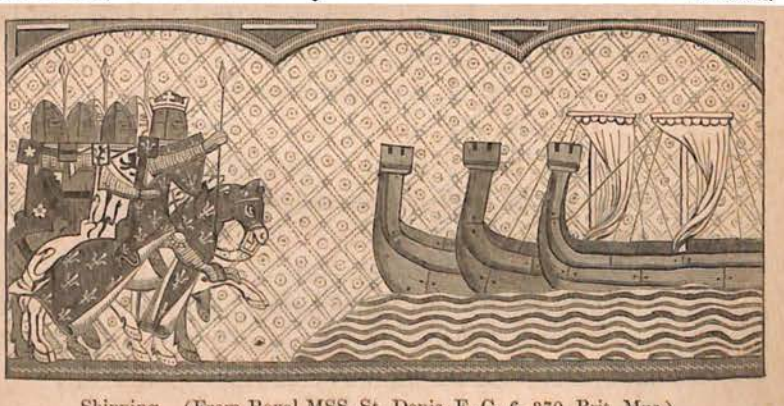
Henry III. A.D. 1265.

De Montfort attempts to cross the Severn,

but is prevented by the blockade of the Avon, and he therefore retires to Wales.

Soon after this misfortune, his son, Simon de Montfort, was defeated by the Prince. When Simon

Defeat of De Montfort's son.



Shipping. (From Royal MSS. St. Denis, E. G. 6. 370. Brit. Mus.)

received his father's summons to meet him at Worcester, he was engaged in the siege of Pevensey, in Sussex. On his way to join his father, he sacked the city of Winchester, the gates of which had been closed against him; marched through Oxford, and then proceeded to Kenilworth, where his father had

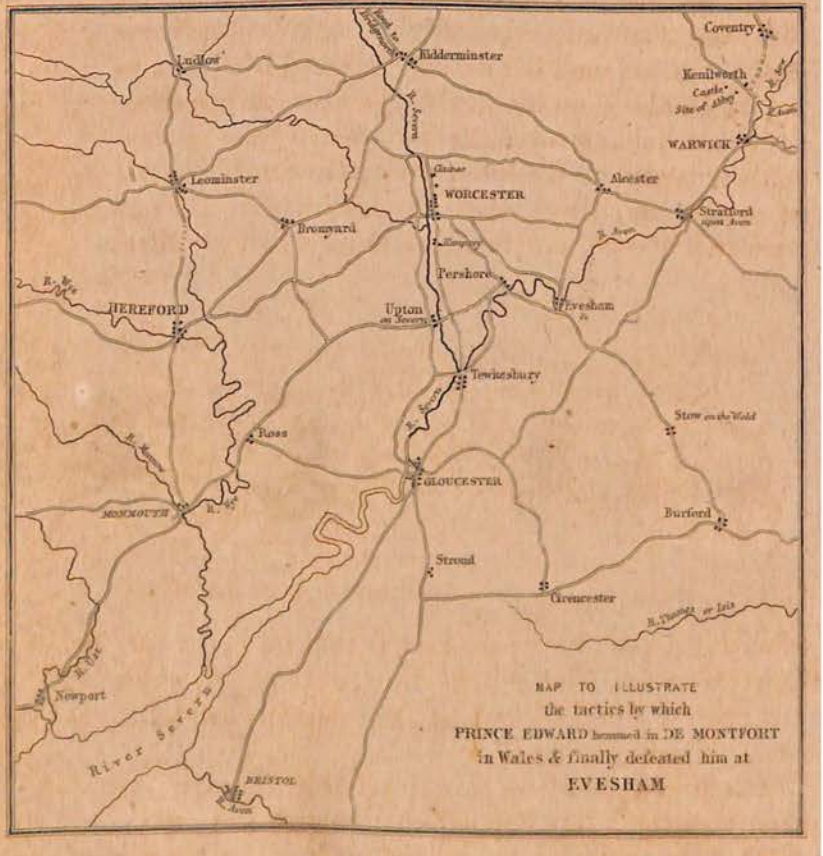
Henry III. A.D. 1265.

"kept his Christmas" the year before. Here he waited for his father's instructions. He had doubtless heard that Worcester had been taken by the royalists, and that therefore it would be useless to proceed to that city.

When Prince Edward had defeated De Montfort at Newport, he returned to Worcester, and then sent out spies to learn the movements of De Montfort's son. They ascertained that he and his army were at Kenilworth; and that young De Montfort and his knights did not sleep in the castle, but in the priory and neighbouring farm-houses. This was for the sake of bathing in the river Avon in the morning. He accordingly determined to surprise them; and, marching from Worcester in the evening, he reached Kenilworth at sunrise next morning, the 1st of August, 1265. He caught them bathing, as he had been led to expect. A writer of the time describes them as taking to flight, some of them half-naked, and others carrying their clothes under their arms in baskets. Many prisoners were taken, but Simon, with his pages, escaped into the castle.

Simon de Montfort marches from Wales to join his son at Kenilworth, but is outmanœuvred by the Prince, who lies in wait for him at Evesham.

On the same day, De Montfort had managed to cross the Severn, and had halted at Kempsey, about fifteen miles from Worcester, intending to join his son the next day at Kenilworth. But Prince Edward, had marched back with his prisoners to Worcester. On learning De Montfort's movements, he marched out of the town, in the direction of Bridgenorth, to deceive him. He soon, however, crossed the Severn, at Clains; and doubled back towards Evesham, the neighbourhood of which he reached before sunrise next morning, August 4th. He then posted himself on a hill in the direction of Kenilworth; while the



London, Longman & Co.

Earl of Gloucester and Roger de Mortimer, occupied with their troops the two other roads, by which De Montfort might approach Kenilworth. In order to deceive the enemy, the Prince's troops carried the banners of the knights, whom they had taken prisoners at Kenilworth. The plan was well devised, and was completely successful. De Montfort knew nothing of his son's defeat, and marched from Kempsey to Evesham, on his way to Kenilworth in expectation of joining his son's forces. When he saw soldiers posted on the hill carrying his son's banners, of course he mistook them for his friends. He was soon undeceived, and felt that there was very little

Henry III. A.D. 1265.

The battle of Evesham, Aug. 3rd, A.D. 1265.

Knights fighting. (From Royal MSS. 2 B. 7. 186. Brit. Mus.)

chance, even of escape; for he was shut in, in the narrow tongue of land, formed by the Avon, on which the town of Evesham stands. But nevertheless he at once prepared for battle.

His first object was to cut his way through the troops on the hill. But failing in this, and in danger of being surrounded, he ordered his troops to form a circle, and oppose on all sides the pressure of the enemy. The combat was fierce: De Montfort and his troops fought with the energy of despair; and the battle lasted from the middle of the day till the evening. For a time, the result was doubtful.

Henry III. A.D. 1265.

The King was compelled to fight on De Montfort's side, and narrowly escaped being killed. He was unhorsed, and his assailant was about to kill him, when he called out, "Hold, fellow, I am Harry of Winchester." The Prince heard his father's voice, and rushed to the rescue. At length the Welsh troops fled, De Montfort and his eldest son Henry were killed, and the King's victory over the barons was complete.

De Montfort and his son are killed, and the King triumphs.

Historians are divided in their opinion of De Montfort. Some represent him as an ambitious traitor, desirous only of accomplishing the selfish ends suggested by his own criminal ambition; while others, and as it appears to me with greater truth, represent him as the wise and patriotic leader, of the popular old English, or even Anglo-Saxon party, in their struggles against Henry's oppressions and foreign predilections. Whatever may have been his motives, it is certain that to him we are indebted for the beginning of popular representation, by his having for the first time summoned town representatives to Parliament. Other popular leaders, might possibly have seen the wisdom of giving the people a share in the government, but this might not have been the case, and it might have been long delayed. At any rate, it was Simon de Montfort who did it, and it is to him that we are indebted for that which, in the language of Sir James Mackintosh, may be termed "the practical discovery of popular representation."[50] The same historian adds, "The particulars of the war are faintly discerned at this distance of time. But the reformation in question, as first affording proof from experience that liberty, order, greatness, power, and wealth are capable of being blended together in a degree of harmony which the wisest men before had not believed possible, will be held in everlasting remembrance."

Character of Simon de Montfort.

We are indebted to him for establishing popular representation.

Sir James Mackintosh's opinion of the value of De Montfort's parliamentary changes.

"His memory was long revered by the people as one who had died a martyr to his defence of their liberties. During the vigorous reign which followed, popular feeling was overawed; but by the following generation, when that feeling could be more freely uttered, he was called 'Sir Simon the Righteous.'" [51] Miracles were attributed to him, and many were the ballads sung in his honour; and his name though held in abhorrence by the powerful, was distinguished by the blessings of the poor. The following is a part of a modern version of a ballad written soon after the fatal battle of Evesham, an early MS. of which in Anglo-Norman French, still exists in the Bodleian Library at Oxford. It describes in a touching manner the popular feeling towards De Montfort:—

Henry III. A.D. 1265. De Montfort's memory revered by the people.

Ballad describing the battle of Evesham.

"In song my grief shall find relief;
Sad is my verse and rude;
I sing in tears our gentle peers,
Who fell for England's good.
Our peace they sought, for us they fought,
For us they dared to die;
And where they sleep, a mangled heap,
Their wounds for vengeance cry.
On Evesham's plain is Montfort slain,
Well skilled the war to guide;
Where streams his gore shall all deplore,
Fair England's power and pride.

"Ere Tuesday's sun its course had run,
Our noblest chiefs had bled:
While rushed to fight each gallant knight,
Their dastard vassals fled.*
Still undismay'd, with trenchant blade,
They hewed their desp'rate way.
Not strength or skill, to Edward's will,
But numbers gave the day.
'On Evesham's, &c.

* Alluding to the flight of the Welsh.

Henry III.
A.D. 1265.

"Yet by the blow which laid thee low,
Brave Earl, one palm was given;
Not less at thine than Becket's shrine
Shall rise our vows to Heaven.
Our Church and Laws, your common cause,
'Twas his the Church to save;
Our rights restored, thou, generous lord,
Shalt triumph in thy grave.
On Evesham's, &c."

Conduct of the King after the Battle of Evesham.

The King abuses his victory.

The victory at Evesham enabled the King to resume his tyranny. In the words of Sir James Mackintosh, "After the battle of Evesham, and the death of De Montfort, the baronial party appeared to be extinct. The Parliament assembled by the royalists, was the pliant instrument of their rapacity and revenge. The followers of De Montfort were proscribed, and their lands distributed among the conquerors. The King distinguished himself by nothing but the unmanly insolence of a feeble mind intoxicated by undeserved success."[52] Henry summoned a Parliament to meet him at Winchester; and found no difficulty in obtaining its consent to severe measures against the defeated barons and their followers. The citizens of London were deprived of their charter, and the estates of all who had followed De Montfort were confiscated. But these measures did not quiet the kingdom. The dispossessed knights and barons spread themselves as banditti all over the country, and among the number was Robin Hood, of whom I shall presently give you a more particular account.

Charters repealed and estates confiscated.

The country not easily quieted.

It took Prince Edward a long time to put down these opponents. He first took possession of the Cinque Ports, which had almost always been on De

Montfort's side. He then captured Winchelsea, from whence he proceeded to Hampshire, which, with the neighbouring counties of Berkshire and Buckinghamshire, were ravaged by Adam de Gordon, who was said to be the strongest man of his age. He and his followers were surprised in Alton Wood, in Hampshire, and were defeated. The Prince was a more generous man than his father, and, having by his own personal courage overcome Adam Gordon, in admiration of his bravery he at once pardoned him, and took him to the Queen at Guildford that very night. He thus made him a fast friend and a loyal subject for life.

Henry III. A.D. 1265. Adam de Gordon.

Many of the barons took refuge in the Isle of Ely, where they long resisted the King's forces. Kenilworth also held out; but it was at length reduced by famine in November, 1266. While the siege was going on, attempts were made by some of the king's adherents, who disapproved of his severity, and were anxious to secure the good government of the country, to bring about an accommodation between the parties. A committee was therefore appointed, consisting of twelve prelates and barons, and they drew up a document, called "The Dictum of Kenilworth," dated October 15, 1266, which was confirmed by the King in Parliament.

A.D. 1266. Siege of Kenilworth.

By this it was provided that the liberties of the Church should be preserved; that the charters should be observed, which, it was stated, "the King is expressly bound by his oath to keep;" so necessary was it, even in the moment of victory, to remind the King of his duties. It was also decreed that the confiscated estates should be restored to their owners on payment of certain sums of money.

The Dictum of Kenilworth tempers the King's severity.

Henry III.
A.D. 1267.
The King now devotes himself to the improvement of his kingdom.

At length the land was once more tranquil, and the King directed his attention to the improvement of the country. Bridges were thrown across rivers, roads were made, and at a Parliament held at Marlborough at the end of 1267, some of the most useful among the provisions of the barons were confirmed.

Pope Clement the Fourth, who, as Cardinal Guido, had excommunicated the barons after the Battle of Lewes, was well pleased at the king's victory at Evesham, and sent over Cardinal Ottoboni to congratulate him on his success. He seems, however, to have felt the necessity of curbing the severe spirit of Henry and his son; for he instructed the cardinal to express his disapprobation of the harsh measures of the Parliament at Winchester, and he earnestly exhorted them to use with moderation the power they had obtained by victory. Ottoboni then turned his attention to ecclesiastical matters, and many of the regulations he made relative to the plurality of livings and other matters, remain in force to this day.

The Pope exhorts the King to be moderate.

A.D. 1269.
The Pope tries to persuade the prince to undertake a new crusade.

Before the cardinal left England he called together a great meeting at Northampton, on April 25th, 1269, to persuade the Prince and the barons to undertake a crusade against the Saracens, who had recovered possession of the greater part of the Holy Land. He gave the cross to the King, to the Princes Edward and Edmund, to twenty-two bannerets, and to more than one hundred knights. Edward consented to undertake the expedition.

He consents,

It is singular that while the kingdom was still in an unsettled state, and his father in his sixty-fourth year, he should have absented himself from the kingdom. But it was no doubt attractive to his bold and warlike

spirit to engage in such an adventurous expedition, and it was considered a duty to defend the Holy Land against the infidels. Antioch had fallen; the Christians were in dire distress; the French King, Louis the Ninth, was on his way; and, finally, the Prince doubtless thought he could get rid of some of the most dangerous of the barons by taking them with him to Palestine. Among these was the Earl of Gloucester; and the Prince expressly stipulated that he should accompany him. Edward set out immediately, and took with him his wife Eleanor, sister to Alphonso, King of Castile. Before he left England, the King, at his instance, restored their liberties to the citizens of London.

Henry III. A.D. 1269.

but stipulates that the Earl of Gloucester shall go with him.

Edward did not reach Palestine till the following year, A.D. 1270, having been detained by the absence and subsequent death of Louis, whose son Philip abandoned the crusade. In the next year he took Nazareth, and gained several victories; but, in the year after, he had a narrow escape from assassination. He was struck with a poisoned dagger, but, according to a popular legend, his queen, Eleanor, saved his life by sucking the poison from the wound. In 1272 he set out on his return home; but before he reached England his father died, after a long reign of fifty-six years, the longest in our history except that of George the Third. This event took place on November 16, 1272. The King was buried in Westminster Abbey, which he had rebuilt from its foundation; and his body was deposited in the very tomb, out of which he had removed the bones of Edward the Confessor into a golden shrine.

A.D. 1270. Prince Edward reaches the Holy Land, and has great success,

but narrowly escapes assassination.

A.D. 1272. He sets out on his return home.

Death of Henry. Nov. 16.

Buried in Westminster Abbey.

Henry III.

Summary of the Character of Henry the Third.

His character.

Thus ends the history of a King who left behind him no love for his virtues, nor hatred for his crimes. He was an amiable, religious, man; of elegant tastes; but weak, vacillating, and indolent. In order to be left to the quiet enjoyment of his favourite tastes, and occupations, he was only too willing to make promises, which were no sooner made, than he found reason to break them. He had not sufficient strength of mind to remain firm to his plighted word. His reign will, however, remain memorable, so long as our constitutional government stands, as having been the time when its foundations were first securely laid.

In narrating the events of this reign, I have been constantly obliged to remark on the weak and blamable points in the king's character; but, it would be unjust to his memory, were I not also to point out his redeeming good qualities. Unfortunately, however, these were more suited to the adornment of a private station, than to shed lustre on the character of a king. He was pure in his domestic life, and of strong religious feelings; and he had a great love for, and was a great patron of, art. "Henry did more to advance the progress of art than any English sovereign anterior to Edward the Third."[54a] He rebuilt Westminster Abbey from its foundation; he decorated and ornamented Windsor Castle, which was said, by a contemporary writer, to be the most magnificent palace in Europe; and he "repaired, or rebuilt, most of the numerous manor-houses belonging to the crown; besides contributing largely to the improvement of parish churches in all parts of the kingdom."[54a] He brought to England many

Italian artists; and his taste for the fine arts must have been one of the sources of that profuse expenditure, which often involved him in difficulties. His social qualities were also great; and he displayed them, not only in his liberal entertainments to his great men at home, but in his splendid festivities abroad when he visited France. Henry III. His character.

Remarkable Persons in Henry's reign.

In Henry's reign, the English language was still confined to the daily intercourse of life, and was not adopted in written books. But there were several writers, who, although they used the Latin tongue, have shed a lustre on this reign. The name of Roger Bacon is the first that presents itself. His learning extended over almost every branch of human knowledge. He is called an astrologer and an alchemist; but he was really a deep student of nature, whose mysteries he skilfully unravelled. He not only understood the laws of light, but he conceived the idea of a telescope, and made some advances towards an explanation of the phenomenon of the rainbow. He knew the effects and composition of gunpowder, and was well acquainted with many branches of what is now called Natural Philosophy. The historians of the time next claim our notice, and the chief of these were monks. There was Matthew Paris, a Benedictine monk of the monastery of St. Alban's, William Rishanger, another monk of the same abbey, and Roger of Wendover, who was originally a monk of St. Alban's. Remarkable persons in Henry's reign. Roger Bacon. Matthew Paris. Rishanger. Roger of Wendover.

These are the principal writers whose names deserve mention; but there is another well known Englishman, to whom I have already referred, and without

Henry III. an account of whom the history of this reign would be very imperfect. I refer to Robin Hood.

Robin Hood.

Robin Hood

Robin Hood may be looked on as a representative of the popular or Anglo-Saxon party, which had never ceased to exist from the time of the conquest. By some persons, he is looked on, almost as an imaginary personage; by others, as a criminal outlaw; by others, as a ruined nobleman, who took to the woods to retrieve his fortunes by robbery. But, according to the most trustworthy accounts, he was a Saxon yeoman*, whom oppression had driven, to a life of warfare, with all oppressors and plunderers of the people.

was a Saxon yeoman.

A Scotch historian says he "took to the woods" after the battle of Evesham.

Of his actual existence there can be no doubt. A Scotch historian, John of Fordun, who lived in the following century, alludes to him by name. "Then," he says, "arose, from among the dispossessed and banished, that most famous cut-throat Robert Hood, and Little John, with their accomplices, whom the foolish multitude are so extravagantly fond of celebrating in tragedy and comedy, and the ballads concerning whom, sung by the jesters and minstrels, delight them beyond all others;" but he adds, "of whom, however, some praiseworthy facts are nar-

* Chaucer thus describes a yeoman of the following century:—

"And he was clad in coat and hood of green.
A sheaf of peacock arrows bright and keen
Under his belt he bare full thriftily.
Well could he dress his tackle yeomanly;
His arrows drooped not with feathers low,
And in his hand he bare a mighty bow."

rated." Another Scotch historian, who continued Fordun's history, has a short but most valuable allusion to Robin Hood. In narrating the events of the year succeeding the bloody battle of Evesham, when the old English party were utterly discomfited, he says, "Robin Hood now lived an outlaw among the woodland copses and thickets." Henry III.

Of the existence, therefore, of Robin Hood there can be no question, nor is the time at which he lived doubtful; and the reason why he took to the woods is also clear from Fordun's statement. An annual festival was held in his memory, and on that day— kept religiously by the inhabitants of the hamlets and small towns of England—none were permitted to employ themselves in anything but pastime and pleasure, and its observance lasted even over the times of the Reformation. This fact is attested by Bishop Latimer. In his sixth sermon preached before King Edward VI. he thus describes the scene that took place. "I came once my selfe to a place, riding on a journey homeward from London, and I sent word over night into the town, that I would preach there in the morning, because it was holy day, and methought it was an holy dayes work, the church stood in my way, and I took my horse and my company, and went thither (I thought I should have found a great company in the church), and when I came there, the church dore was fast locked. I taryed there halfe an howre and more, at last the key was found, and one of the parish comes to me and sayes, Syr, this is a busie day with us, we cannot heare you, it is Robin Hoode's day. The parish are gone abroad to gather for Robin Hoode. I pray you let them not. I was fayne there to give place to Robin

Annual festivals held in his memory.

Anecdote about Bishop Latimer.

Henry III.

Hoode. I thought my Rotchet should have bene regarded, though I were not; but it would not serve, it was fayne to give place to Robin Hoode's men." [53]

The Anglo-Saxons who opposed the Normans had long gathered together in the woods.

From the time of the Norman conquest, the Anglo-Saxons had taken refuge in the woods from the oppressions of the Normans. The forest of Sherwood, in Nottinghamshire, which was the principal scene of Robin Hood's adventures, is particularly mentioned as a terror to the Normans, and as the habitation of the last remnant of those Anglo-Saxons, who still preferred resisting and living on their oppressors, to submitting to their hated rule. This forest of Sherwood was visited by Richard the First, and an historian of the time says, "he had never before visited these forests, and they pleased him much." Robin Hood seems to have joined these Anglo-Saxons in Sherwood forest.

Robin Hood joins them in Sherwood forest.

The life led by Robin Hood and his companions does not, it is true, admit of a complete defence, but it must not be forgotten that they represented the national struggle of the Anglo-Saxons against the Normans, and of the natives against foreign favourites.

Robin Hood's personal character.

As to his personal character, it was very good. He never harmed a woman, as one of the old ballads makes him say,

> "I never hurt woman in all my life,
> Nor man in woman's company."

He never took money from the poor man; but what he took from the rich he shared with the poor; and he never ill treated those he robbed, but they always went away impressed with a sense of his courtesy.

His religious duties were punctually performed :— Henry III.

"Now a custom good, had Robin Hood,
In lands both far and near;
Every day, before he would dine,
Three masses would he hear."

This is of course an exaggeration; but it is evidence of the character he bore. Nevertheless, he never spared the rich clergy; but, whenever he caught them in the forest, he made them pay handsomely for their ill luck in putting themselves in his power. Many of the ballads about Robin Hood are doubtless mere fictions; but many of them must describe events which really happened. There breathes throughout them all, a charming feeling for the beauties of the woodlands. One begins in this way:

The Robin Hood ballads are full of love of woodland scenery.

"In summer when the shaws be sheene, [or shining,]
And leaves both large and longe,
Itt is merrye walkying in the fayre forrest
To heare the small birdes songe.

The wood weele sang, and wold not cease,
Sitting upon the spraye,
Soe lowde, he wakened Robin Hood,
In the greenwood where he lay."

Another thus:

"In summer when the leavès spring,
The blossoms on every bough,
So merry do the birdies sing,
In woodys merry now."

Robin Hood's principal companions were Little John, so called because he was a very big man; Much, the Miller, a small man; Scathlock, a bald man; and Friar Tuck, a jolly fat friar. He was always attended by a hundred archers clad in Lincoln green, who seemed to hover mysteriously round him, for wherever he might be, no sooner did he wind his bugle horn, than

Robin Hood's companions.

Henry III.

they are said to have appeared instantly. Many were the adventures told of him. One of his great delights was, if he found a strong man, to have a tussle with him; and if he was overcome, he made his conqueror join his band of foresters. Space will not allow the insertion of any of the ballads at full length, and indeed a Lecture might well be devoted to them alone; but I shall make selections from one of the principal ballads about him, filling up the parts omitted with such facts as will enable you to follow the story.

In this ballad you will see he is the defender of the oppressed: —

The ballad of Sir Richard of the Lea.

"Lithe and listen, gentlemen,
That be of free-born blood,
I shall tell you of a good yeoman,
His name was Robin Hood.

Robin Hood in the forest,

"Robin stood in Bernysdale,
And leaned him to a tree,
And by him stood Little John,
A good yeoman was he.

"Then spake unto him Little John,
All unto Robin Hood,
'Master, if ye would dine betime,
It would do you much good.'"

tells Little John to search for a knight to dine with him.

Robin Hood loved not to dine alone, and told his men to look out for some bold baron to be his guest. But he tells them: —

"'But look that ye harm no husbandman,
That tilleth with his plough.

"'No more shall ye no good yeoman
That walketh by greenwood shaw,
Nor any good knight, nor any good squire,
That would be a good fellow.'"

So forth they go, and at last they espy a knight coming riding along: —

Henry III.

He discovers a sad-looking knight,

"But as they looked in Bernysdale,
By a path that secret lay,
Then came there a knight riding,
And they met him in the way.

"All dreary was his semblance,
And little was his pride;
His one foot in his stirrup stood,
The other waved beside.

"His hood was hanging o'er his eyes,
Simple was his array,
A sorrier sadder man than he
Rode never in summer's day.

and invites him to dinner.

"Then Little John, in courteous guise,
Down bent him on his knee,
And said, 'You are welcome, gentle knight,
Right welcome are you to me.

"'Welcome be thou to the greenwood,
Courteous knight and free,
For you hath my master fasting,
Waited these hours three.'

"Said the Knight, 'Who is your master?'
Little John said, 'Robin Hood.'
'He is a good yeoman,' said the knight,
'Of him I have heard much good.'"

So the knight went with Little John to Robin Hood:—

"They washed together, and wiped both,
And sat to their dinner;
Bread and wine they had enough,
And nombles of the deer."

After dinner, to try him, Robin Hood told him he must pay for his fare:—

Robin Hood tells the knight he must pay for his dinner.

"Said Robin, 'To pay before we part
Methinks it is but right,
For goodly manners never could let
A yeoman pay for a knight.'"

Henry III.

The knight, however declares, that he has but ten shillings, upon which

"Said Robin, 'If thou hast no more,
No penny of that I take;
And if thou have need of any more
I lend it for thy sake.'"

Robin now asks the knight for his history, and he tells him —

"'Within these years but two or three,
My neighbours well have known,
That I might spend four hundred pound,
Good money of my own.'"

The knight being unable to pay, Robin Hood lends him money to redeem his lands from the Abbot of St. Mary's.

And he goes on to say, that his son, having slain a knight, probably in a tournament, he had to pay a fine of four hundred pounds, and as he had not got the money, he borrowed it of the Abbot of St. Mary's at York, promising to repay it in a year or forfeit his estate. Robin Hood now agreed to lend him the money, gave him good clothes, mounted him on a good horse, and lent him Little John to be his squire. The knight then told Little John that he must at once go to pay the abbot, or else his land would be forfeited. The abbot and the monks thought the knight would not come.

The abbot and the monks think the knight will not be able to pay them,

"Said the monk, 'He is or dead or hanged,
And by our Lord I swear,
That we shall have in this place to spend
Four hundred pound by the year.'

"The Lord High Justice and many more
Had taken into their hands
To do that knight a grievous wrong,
For the debt to take his lands.

"The High Justice cried, 'He will not come,
Or will come, methinks, too late;'

But in time to bring sorrow to them all
The knight he was at their gate."

The knight then put on his old clothes, and went into the abbot's hall.

and are much astonished when he appears.

"'By favour, Sir Abbot,' said the knight,
'I come to hold my day;'
But the very first word the abbot spoke
Was this, 'Hast thou brought my pay?'"

The knight then declares he has no money, and has come to beg for mercy.

The knight begs for mercy, to try them.

"'Now, good Sir Sheriff, be my friend,
For the love of God,' said he.

"'Thou hast failed of thy day,' said the justice,
'Thy land in forfeit goes.'
'Now, good Sir Justice, be my friend,
Defend me from my foes.

"'Now, good Sir Abbot, be my friend,
As thee it may well beseem,
And hold my lands in thy own hands
Till I shall them redeem.'

They give no mercy,

"The abbot sternly on him looked,
And shameful names did call:
'Out, out,' he said, 'thou base false knight,
Go, get thee from my hall.'

but the knight needs none,

"Up then stood the gentle knight,
And to the abbot cried,
'To suffer a knight to kneel so long,
Is an uncourteous pride.'

and repays them.

"With that he strode to a board anon,
Unto a table round,
And there he shook out of a bag
Even four hundred pound.

"Still sat the abbot, and ate no more,
For all his royal fare,
He cast his head o'er his shoulder,
And fast began to stare."

Henry III.

Then said the knight,—

"'Know ye, Sir Abbot, and know all,
That I have kept my day,
And I will have my land again,
For aught that you can say.'

Triumph of the knight.

"The knight strode bravely from the door,
Away was gone his care,
And his good clothing on he put,
And left the other there.

"Merrily singing went he forth,
As men have told in tale;
And his ladye met him at his gate,
At home in Utery's dale."

The knight repaid Robin Hood faithfully the money he had borrowed of him.

There are many more ballads about Robin Hood, but I shall here insert only an account of his death. Poor Robin Hood was ill, and thinking he ought to be bled, he went to Kirkleys nunnery for the purpose, according to the custom of the times. The nun belonged to the rich clergy party, who owed Robin Hood many a grudge, and she left poor Robin to bleed to death. Robin thought he would try to get his friends, who had accompanied him to the nunnery, to come to his help:—

Death of Robin Hood.

"He then bethought him of his bugle horn,
Which hung low down to his knee;
He set his horn unto his mouth,
And blew out weak blasts three.

"Then Little John, when hearing him,
As he sat under the tree,
'I fear my master is near dead,
He blows so wearily.'

Henry III.

"Now Little John to fair Kirkley is gone,
As fast as he can dree;
But when he came to Kirkley Hall
He broke locks two or three,

"Until he came bold Robin to;
Then he fell on his knee;
'A boon, a boon,' cries Little John,
'Master, I beg of thee.'

"'What is that boon,' quoth Robin Hood,
'Little John, thou beg'st of me?'
'It is to burn fair Kirkley Hall,
And all their nunnery.'

"'Now nay, now nay,' quoth Robin Hood,
'That boon I'll not grant thee;
I never hurt woman in all my life,
Nor man in woman's company.

"'I never hurt fair maid in all my time,
Nor at my end shall it be;
But give me my bent bow in my hand,
And a broad arrow I'll let flee;

"And where this arrow is taken up,
There shall my grave digged be.
Lay me a green sod under my head,
And another at my feet;

"'And lay my bent bow by my side
Which was my music sweet;
And make my grave of gravel and green,
Which is most right and meet.'

"These words they readily promised him,
Which did bold Robin please;
And there they buried bold Robin Hood,
Near to the fair Kirkleys."

Robin Hood is believed to be buried in the park of Kirklees, in the West Riding of Yorkshire, now belonging to Sir George Armitage.

Henry III.

The Wife and Issue of King Henry the Third.

On January 14th, A.D. 1236, he married Eleanor, second daughter of Raymond, Count of Provence, who survived him 19 years. She died a nun at Ambresbury, and was buried in a monastery there.

By her he had six sons, and three daughters. His eldest son Edward, who succeeded him, was born at Westminster on June 16, A.D. 1239.

Edmund, Earl of Lancaster, his second son, was born January 16, A.D. 1245. He was invested by the Pope with the kingdom of Sicily, but never possessed it. He died in A.D. 1296.

The four youngest of his sons died in their infancy, and were buried, three at Westminster, and the fourth in the Temple Church in Fleet Street.

Margaret, his eldest daughter, born in A.D. 1241, was married to Alexander III., King of Scotland, and died in A.D. 1275.

Beatrice, his second daughter, was born at Bordeaux on June 25th, A.D. 1242, married John de Dreux, Duke of Britanny, and Earl of Richmond, and died in A.D. 1275.

Katherine, his third daughter, died in her infancy.[30]

NOTES.

The following list of references is not given as a list of original authorities, but solely as a reference to the authors whom I have quoted, and on whom I have relied. I have given them, partly to enable those who wish, to verify the quotations, and test the accuracy of the narrative, and partly as a guide to those who may desire to study the subject more fully.

Histoire des Français. Par SISMONDE DE SISMONDI. 31 vols. 8vo. Paris, 1823.

[1] Vol. VI. p. 3, et seq.

TYRRELL'S *History of England.* Folio, 1700.

[2] Vol. II. p. 938.
[3] " 939.
[4] " 489.
[5] " 824.
[6] " 826.
[7] " 837.
[8] " 842.
[9] " 848.
[10] " 851.
[11] " 852.
[12] " 853.
[12a] " 854.
[12b] " 856.
[13] " 862.
[13a] " 865.
[14] Vol. II. p. 868.
[15] " 877.
[16] " 880.
[17] " 886.
[18] " 893.
[19] " 896.
[19a] " 904.
[20] " 907.
[21] " 908.
[22] " 944.
[23] " 945.
[24] " 947.
[25] " 951.
[26] " 953.
[27] " 957.
[28] Vol. II. p. 960.
[28a] " 964.
[28b] " 965.
[28] " 993.
[29a] " 997.
[29b] " 1002.
[29c] " 1003.
[29d] " 1004.
[29e] " 1006.
[29f] " 1008.
[29g] " 1009.
[29h] " 1011.
[29i] " 1017–18.
[30] " 1100

ROGER OF WENDOVER. (Bohn's Edit.)

[31] Vol. II. p. 260. *note* (quotation from Matthew Paris.)
[32] " 386. *note* (quotation from Matthew Paris.)
[33] " 395.
[34] " 401. *note.*
[35] Vol. II. p. 404.
[36] " 441.
[37] " 452.
[38] " 454. (quotation from Matthew Paris.)

MATTHEW OF WESTMINSTER. (Bohn's Edit.)

[39] Vol. II. p. 123.
[40] Vol. II. p. 125.
[41] Vol. II. p. 131.

Memoirs of Bartholomew Fair.
By HENRY MORLEY. 8vo. London, 1859.

[42] p. 16. | [43] p. 21. | [44] p. 24.

The History of English Poetry from the close of the 11th to the commencement of the 18th century. By T. WARTON, B.D. 4 vols. 8vo. London, 1824.

[45] Vol. II. p. 117 (*note*).

Blackstone. Edited by HENRY JOHN STEPHEN, Serjeant-at-Law. 4 vols. 8vo. London, 1841–1845.

[46] Vol. II. p. 546. | [47] Vol. II. p. 570.

History of Latin Christianity. By HENRY HART MILMAN, D.D. Second Edition. 6 vols. 8vo. London, 1857.

[48] Vol. I. p. 422.

LINGARD'S *History of England.* 13 vols. fcp. 8vo. London, 1844–1845.

[49] Vol. III. p. 103. | [49a] Vol. III. 104. | [49b] Vol. III. 126.

Sir JAMES MACKINTOSH'S *History of England.* 2 vols. 8vo. London, 1853.

[50] Vol. I. p. 232. | [51] Vol. I. p. 234. | [52] Vol. I. p. 240.

LATIMER'S *Sermons.* London, 1584.

[53] p. 74.

Some Account of Domestic Architecture in England, from the Conquest to the end of the 13th Century. By T. HUDSON TURNER. 8vo. Oxford, 1851.

[54] p. 116. | [54a] p. 181.

The State of the Poor. By Sir F. M. EDEN, Bart. 3 vols. 4to. 1797.

[55] Vol. I. p. 213.

Edinburgh Review.

[56] Vol. CXII. p. 108.

Map of
WALES
Showing the Ancient Divisions
prior to the time of Edward the 1st
& the Counties formed by him.
English Miles
Anglesey
(Mona)
Aberffraw
Bangor
Conway
Caernarvon
Rhuddlan
Dendrey
Mold
Chester
Wrexham
Corwen
Llangollen
Merionydd
Oswestry
Shrewsbury
Mathrowal
Bellington
Chirbury
Aberystwith
Llan pinkatu Tower
Dinith
Hereford
Brecknock
Monmouth
Caermarthen
Rynevor
St Davids
Caerleon
Chepstow
Caerwent
Llandaff
Cardiff
CARDIGAN
BAY
Bardsey I.
Offa's Dyke
Edwd. Weller.

LECTURE FOURTH

A.D. 1272—1307.

THE REIGN OF EDWARD THE FIRST.

Introductory Remarks. — Picture of the State of England in the 13th Century. — Early Events in the reign of EDWARD THE FIRST. — Wars with Wales. — Edward directs his Attention to improving the Condition of England. — War with Wales begins again. — Affairs of Scotland. — Wars with France. — Wars with Scotland. — Continuation of War with France, and English Affairs arising therefrom. — The Scotch resist the Dominion of the English. — Death of Edward. — His Wives and Children.

Introductory Remarks.

Edward I. A.D. 1272.

Contrast between the characters of Edward the First and Henry the Third.

The King, whose history I am now about to relate, was a man of quite another stamp from his father Henry the Third. The one was weak and yielding; a man to be loved, although deceitful; of elegant tastes and habits; and, of a decidedly pious frame of mind. The other was strong and stern; of quick feelings and powerful intellect; bold and active; fond of field sports; somewhat of a tyrant, and sometimes faithless, it must be owned; but yet, in the main, noble and just. He was a conqueror, whose conquests, not only gave greater strength to England, but bettered the conquered; and lastly, he was a King, in whose reign law and justice made forward strides.

Edward's personal

In person, he was tall and broad-chested; his hair was flaxen in his youth, became brown in his man-

Edward I. A.D. 1272. appearance.

hood and grizzly grey in his old age. In one thing, he was much like his father. His left eyelid drooped, and almost covered the eye; yet his face, and his whole bearing, bespoke him a man of wisdom, and of courage. He so much despised all outward pomp, that from the day of his coronation he never again wore his crown; and, except on great occasions, he never used purple, scarlet, or rich fur in his garments; but generally appeared in a plain coat, lined in winter with some common fur.[9]

Came to the throne on Nov. 16, A.D. 1272.

Henry the Third died on November 16th, A.D. 1272, and his eldest son Edward the First reigned in his stead.*

Great events of the reign.

The great events of Edward's reign are, the Conquest of Wales, and the wars with Scotland. Llewellyn, Prince of Wales, the last Welshman who bore that title; William Wallace, the ill-used hero of Scotland; and Robert Bruce, who became the King of Scotland, are the men whose names belong to these events.

But there were other matters worthy of note in Edward's reign. There were wars with France; struggles against the Pope, who was always meddling with English affairs; constant quarrels with the clergy, who were always siding with the Pope — in order to escape from taxation; and oft-returning resistance of the Barons to the King's despotic will, compelling his repeated confirmation of the Charters, and wresting from him an unwilling obedience to the Forest Laws.

The troubles of the realm tend to its future weal.

All these struggles, between the King and the King's subjects, tended to the growth of freedom; helped men on to know their own rights and their own

* See Genealogical Table, p. 337.

interests; taught them to join together for their protection; and thus prepared the way for that best of all governments — self-government, under the rule of a monarch, taught by English history, that, a just regard for the subject's good is the surest prop of the sovereign's throne. Edward I. A.D. 1272.

All these events will be related in their due order; but I have thought it well, thus to sketch out beforehand, the matters you will now hear in detail; and thus, to give you a general notion of what happened during this reign. Reasons for first giving a general sketch.

But, before I begin the continuous story, I am tempted to try to bring before your minds a picture of the state of England when Edward came to the throne.[10]

Picture of the State of England in the 13th Century.

When the Romans came, and when, after some centuries, the Saxons arrived in England, and still, when the Danes invaded our shores, England was one vast forest; ground that was tilled being the exception, and not, as now, the rule. Even when the Normans came, and conquered, the land was densely wooded; and later still, in the times of these Plantagenets, forest and fen, moorland and heathland, and chalky downs, were far more common than plough and pasture. In many parts, these forests were so thick, and so large, that they were as shields, provided by nature for the protection of the country beyond. Thus, when Edward invaded North Wales, he was forced to cut his way through a great wood, before he could reach the Welshmen. In Domesday-book, there are five great Royal Forests named; these were, The New Forest, in State of England in the 13th century. Densely wooded. Armies could not get through the woods. Royal Forests.

Edward I. A.D. 1272.

Hampshire; Windsor Forest, in Berkshire; Whichwood, in Oxfordshire; Wimborne, in Dorsetshire, and Gravelinges in Wiltshire. Of these, the first two still remain; the third was, even within this century, uncultivated; the fourth is still a wild tract, but of the last, even the memory is long gone by. About twenty years before Edward became King, more than seventy woods and forests belonged to the Crown; and this was one of the great grievances of the people. These woods were full of game of all kinds: wolves were far from uncommon; wild cattle were found so near London as in Osterly Wood in Middlesex; and the fens and marshes were the abode of cranes, storks, and bitterns.

Woods full of wild beasts and game;

Beside these woods belonging to the Crown, the whole land was scattered over with forest. Between London and St. Albans, the country was so thickly wooded, and the woods were so much frequented by lawless freebooters, who robbed the passing travellers, that the Abbots of St. Albans kept armed men to guard the road to London. Throughout the whole country indeed, the woods were so much the haunts of robbers, that, in A.D. 1285, a law* was passed, ordering, that all highways, leading from one market town to another should be widened, so that there might be no bushes, woods, or dikes within 200 feet on each side of the road; and those owners of land, who refused to cut down underwoods close to the high roads, were held answerable for all crimes committed by men lurking in them. Even the boundaries of parks were to be set further back, when they approached too near the highway.

and of robbers;

roads widened lest robbers should shelter in the side thickets,

This was the state of the high-roads; but there

* Statute of Winchester, 13 Edward I.

were cross-roads, from one town to another, so little known, that guides,—shepherds and men of like degree, were hired to show the way to travellers. Thus, in the year A.D. 1265, the Countess of Leicester, Henry the Third's sister, was guided on the road from Odiham in Hampshire, to Porchester in the same county, by "Dobbe the shepherd." There were but few bridges; and guides, therefore, were needed to show the fords across the streams and rivers.

Edward I. A.D. 1272.

guides wanted for cross-roads,

and to show the fords.

Such were the roads; let us now see how men travelled on them. There were no carriages in those days; or, at least, they were so uncommon, and their use so completely confined to ladies of rank, that they cannot be looked on as the means by which people got from one place to another. Such as were to be found,

Way of travelling:

very few carriages;

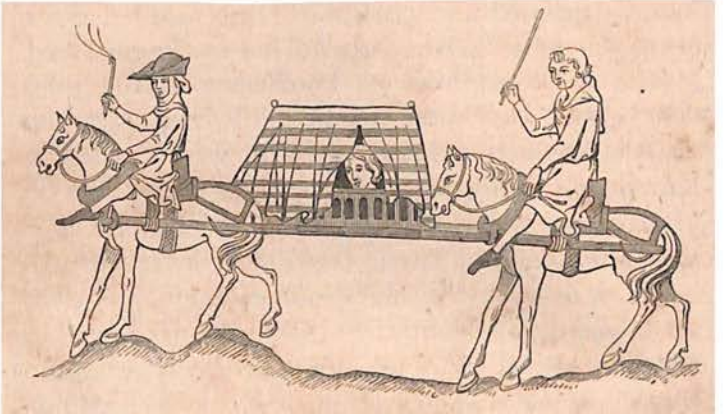
Royal Carriage. (From Vetusta Monumenta, vol. vi. pl. 20, fig. 9.)

were a kind of covered car, fitted with a weather-tight roof, from which hung curtains of leather, or of heavy silk; the wood-work was painted, and the nail-heads and wheels were often gilt; there were plenty of cushions inside, but there were no springs. Edward's Queen, Eleanor of Castile, and his daughter, the Duchess of Brabant, each had a carriage of this kind. Henry the Third, had "a house of deal" made for him, which ran on six wheels, and was roofed

carriages described.

Edward I. A.D. 1272.

with lead. In all likelihood this was meant for travelling, but it must have been ill-suited to the roads of those days. Litters, or covered couches,



Litter. (From Royal MS. Brit. Mus., 16 G. vi. page 32.)

supported by horses, were also made use of, and must have been more convenient than wagons on wheels, on most of the roads.

Men travelled on horseback.

The usual mode of travelling, therefore, was on horseback, and the number of horses wanted by the nobles was very great. Thus, in the year 1265, when Simon de Montfort was at Odiham, with his wife, the Countess of Leicester, he had the surprising number of 334 horses in his stables, for himself and his retinue, and not for military purposes. Those who had no horses of their own, hired horses of 'hackney-men.' Thus, a traveller, going from London to Dover, hired one horse as far as Rochester, for which he paid 1*s.* 4*d.*, being about 16*s.* of our money; the same from Rochester to Canterbury, and so on in like proportion to Dover. It was far from uncommon for travellers to steal these hired horses, and to cut off their ears and tails to prevent their being recognised. This practice

Horses let out by hackney-men;

hack-horses often stolen.

was carried to such a length, that in the following century a law was passed to put a stop to it.* Edward I. A.D. 1272.

There were other men who let out carts for carrying luggage. The hire of one cart with four horses, was about 1*s.* 6*d.* a day, or about 18*s.* of our money,† but the state of the roads, in some districts, was so bad, that the cattle had to rest four days, after travelling two. The general custom was, to travel for four days and then rest for three. At night, travellers used to lodge at farms, or religious houses, where they were able to buy any food they wanted. Carts for carrying goods.

As an illustration of the travelling at this time, I may describe the way in which a large sum of money was carried from Chester to London. The sum of 1000*l.*, which meant 1000 lbs. weight of silver, was due to Prince Edward from his Barony of Chester. It was packed by the Prince's cook, in ten panniers, which were put on five horses, and thus carried to London, under the charge of two knights, attended by sixteen armed men on foot. Two cooks went with them, to provide them with food, for there were no inns except in towns. It took the guard eight days to reach London, and six days to return without the heavy weight. The way in which money was carried from Chester to London.

The houses of the barons, and indeed the King's palaces, were, most of them, very simply built. The hall was the great place of assembly, where all ate together, and except at the daïs, where the nobles sat, the dwelling rooms on the ground story were seldom boarded over, the floor being nothing more than the natural soil, well rammed down, with litter Houses, floors seldom boarded.

* See Note, p. 334.

† An explanation of the principles on which the money of past times is converted into an equivalent sum of the present day, will be given in the reign of Edward the Second.

Edward I. A.D. 1272.

spread over it. The tables were stuck into the ground. This part of the hall therefore was often damp, and it was sometimes called the marsh of the hall, a name it no doubt well deserved. An idea of its state, even in a royal residence, may be gathered from the fact, that, at the King's palace at Winchester, the doorway was widened to let in carts. This rude condition of the houses is very remarkable, considering the luxury and splendour with which the ladies were often dressed.

The floor of the hall was called "The Marsh."

Carpets very uncommon.

The upper floors were generally boarded, but carpets were uncommon, and were looked on as a luxurious innovation. Thus, on the arrival of Eleanor of Castile, to be married to Edward, the Londoners were angry at "the very floors being covered with costly carpets."

As a general rule, the houses were built of timber, but sometimes of wood and stone. Bricks were very uncommon. In the hall the fire was in the middle, and the smoke escaped through the roof, but, in the kitchen, the fires were in large fireplaces built in the walls, and there was a hole in the roof to let out the smoke.

Houses seldom built of bricks;

plastered and white-washed.

Whether the houses were built of wood, stone, or rubble, they were almost all plastered and white-washed both inside and out. Wainscoting was not much used in domestic buildings, but the royal chambers and chapels, and probably also the large and wealthy monasteries, were generally wainscoted. Fir was generally used for this purpose, and Norway planks were brought into England in great quantities. The wainscoting was sometimes worked in patterns, but it was usually painted with subjects from sacred or profane history.

Wain-scoting.

Wardrobes very large.

To the King's houses there were always attached

apartments, called "wardrobes," where the heavy and costly stuffs and cloths, wanted for the dress of the King and his household, were kept; and where also the royal tailors worked. When it is remembered, that the summer and winter dresses of the King's attendants were furnished at his cost, and made under his roof, and that it was difficult to buy any large quantity of the cloths and furs, necessary for the clothing of a numerous retinue, except at the great fairs, it is easy to see that the wardrobes needed ample room. In the wardrobe were also kept the rare productions of the East, which then found their way to England; such as almonds, ginger, the rosy and violet coloured sugars of Alexandria, and other "stomachics" as they were called. Edward I. A.D. 1272.

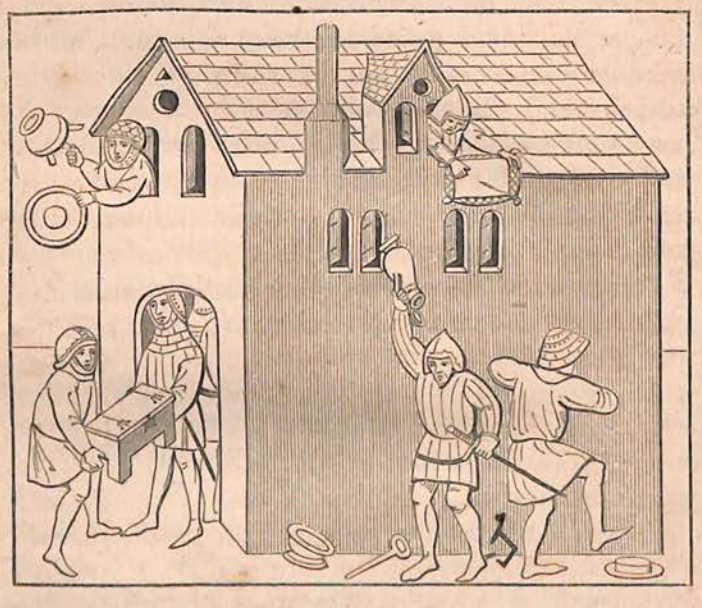
The privy chambers were also called garderobes, and every house of any pretension was well provided with them.[10c]

A large wood-cellar was also a necessary part of a large house, and, on one occasion, Henry the Third ordered the wood-cellar at the palace of Clarendon (three miles east of Salisbury) to be fitted up as a chamber for the knights in attendance on his person. Wood-cellar used to sleep in.

Glass for windows was but little used. The windows were usually simply closed by wooden shutters, iron stanchions being sometimes added for greater safety. Canvas or some such material was often used to keep out the weather, and to admit a dim light. Glass for windows was a luxury, barely known to kings; and it seems, that no glass was made in this country until much later times. Window glass was one of the things we got from the Flemings, in exchange for our wool; and so scarce was it, even in the next century, that the King ordered as much No glass for windows, except in King's palaces and chapels.

Edward I.
A.D. 1272.
Windows let in the weather.

glass, as was needed for the repairs of the windows of one of his chapels, to be searched for in the counties of Norfolk, Northampton, Leicester, and Lincoln. The wooden shutters cannot have afforded much defence against rough weather, and charges were often made, "for making the windows shut better than usual." Draughts of cold air were somewhat



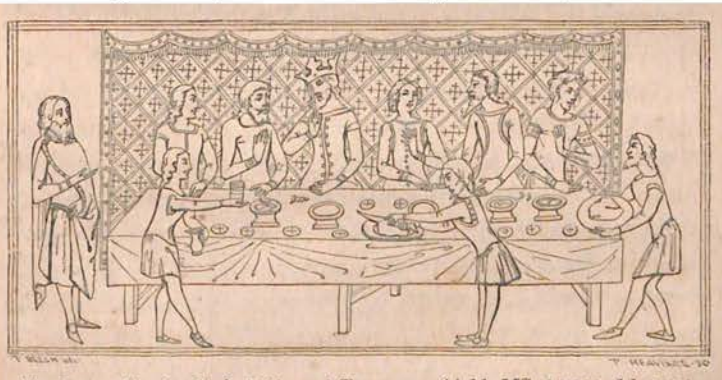
House, with Shutters to Windows.
(From Royal MS. Brit. Mus., 20 C. vii. fol. 41 b.)

prevented, by putting the windows nearer the roof than the floor of the room; but there is an order of Henry the Third, still to be found among our records, ordering glass to be put in place of wood, in a window in the Queen's wardrobe in the Tower, "so that the chamber might not be so windy."

The entrance to the manor houses was usually by

an outer staircase, shielded from the weather by an overhanging shed or pent-house; but the way from the hall to the first story was sometimes through a trap-door. From this it seems, that the chief dwelling rooms, in these manor houses, were on the first story, and the ground floor was probably used only as the hall. Edward I. A.D. 1272.

I will now try to give you a sketch of the way in which people lived inside these houses. Let us imagine ourselves in one of them, as lookers on, and that we see a lord sitting down to dinner with his guests and his vassals. All are gathered together in the hall. At the upper end, on the daïs, where the ground is somewhat raised and boarded over, sit the lord and his chief guests. They are protected by a covering, which, as our host is a great man, is made of Sketch of a dinner in an old manor house.



The Daïs with the High Table and Tapestry. (Add. MS. 12,228, fol. 126.) Copied (by permission) from Mr. Parker's Domestic Architecture, vol. ii. p. 40.

silk. Below, in "the marsh," sit the vassals, farm servants and others. The door, which has lately been widened to let in carts more easily, is closed, to keep out the wind, a dim light is let in through the canvas windows, and "the marsh" is made tolerably dry and clean by litter and rushes. Fish in plenty is Damp and dark.

Edward I. A.D. 1272. The Food.

served up; eels and pike, and even whale, grampus, porpoise, and "sea wolves," may be had. There is plenty of beef, and plenty of mutton, but it is nearly all salted; and the bread is rather black. Vegetables are plentiful enough; there are no potatoes, but there are peas, beans, onions, garlic and leeks, pot herbs and sweet herbs. There is fruit enough, though not equal to what we now have. There are pears, and particularly one sort, grown by the monks of Wardon, in Bedfordshire, which are made into Wardon pies. Then there are apples, particularly of the sort called "costard." These cost 1*s.* per 100 or about 12*s.* of our money. Peaches, and cherries, and mulberries too, are not wanting. If we suppose the entertainment to be given in London, the garden of the Earl of Lincoln, in Holborn, would be ready to furnish a good supply, for the fruit out of it was sold for above 100*l.* of our money in one year alone.

Wine.

There is plenty of claret, or *clairets*—so called because the wine was sweetened with honey, and afterwards strained till it became clear—from our possessions in Gascony, and some sort of sherry from Spain, for those who sit on the daïs; and beer and cider enough for those who sit in "the marsh."

Beer.

But the beer is made of a mixture of barley, wheat, and oats, without hops, which have not yet been "found out." The insipidity of the beer is taken off by spices. There is wine too made from English vineyards, but it must be sour stuff and fit only for "the marsh." Nobody but the King has glass to drink out of, and

Cups.

he has none to spare for his friends; but he has cups made of cocoa nuts, of gourds, of buffalo horns, and of beautiful agates for his principal guests. The wooden bowl, the earthen jug, and the leathern jack serve

well enough for the great bulk of the assemblage. The tables are pretty firm, for their legs are well stuck into the mud floor. Now that the guests are seated, and ready for their repast, up comes the meat on a spit, served round by the servants, and each man cuts off a bit with his knife, and puts it into his wooden bowl or on his trencher. Most of the people have wooden spoons, but nobody has a fork. The pitchers and jugs are made of earthenware, but the plates or dishes are all of wood. Edward I. A.D. 1272. Meat on a spit.

I cannot pretend, nor indeed can I afford space, to give a complete picture of domestic life in those days, but this slight sketch will help to bring it before your minds, and I will now endeavour to mention the principal articles of English trade and manufacture in the 13th century.

There was a great trade in wines from France and Spain, but principally from Bordeaux in the King's French province of Gascony. In the reign of Edward, we often read of great cargoes of wine being captured by armed vessels issuing from the Cinque Ports, or five ports of Winchelsea, Dover, Rye, Hastings, and Sandwich. These wines from Bordeaux were probably all claret, which must have been then drunk in greater proportion to other wines than now, for we find that 116 barrels of Bordeaux were drunk at Edward's coronation. Trade of England. Wine.

Wool was our great article of trade with foreign nations, and was sold chiefly in a raw state. But wool alone can hardly have been sent abroad in sufficient quantities to pay for the numerous articles we were obliged to buy from foreigners, and there seems to have been a considerable trade also in tanned hides.[7] Wool. Leather.

There were a good many woollen manufactories in

Edward I. A.D. 1272. Woollen manufactures.

England. Beverley and Lincoln were well known for particular kinds, and Totness was a great clothing town. In the reign of Henry the Third, there were 300 cloth-workers. Northampton and Norwich were great places for worsted goods. But, notwithstanding this, we bought many manufactured woollen goods from Flanders, France, and Spain. English goldsmiths were celebrated for their skill, and some even were settled in Paris.

Having put before you such facts as may help you to realise the state of England in the 13th century, I shall now relate the history of the reign of Edward the First in continuous order.

Early Events in Edward's Reign.

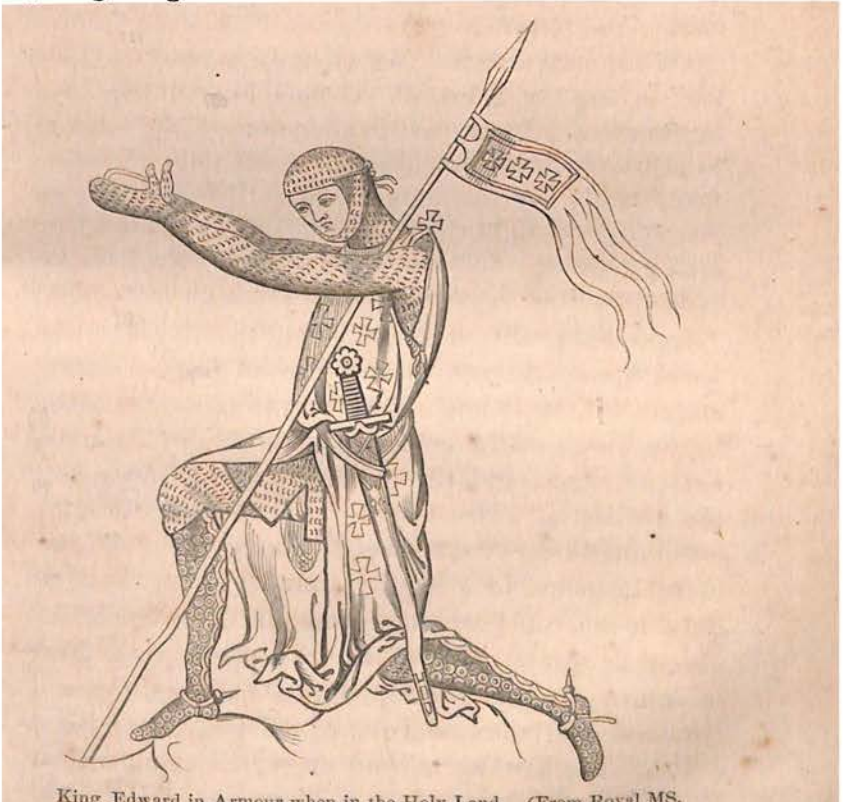
Nov. 16, A.D. 1272. Edward in the Holy Land at the death of his father,

At the death of his father, on the 16th November, A.D. 1272, Edward had not returned from the Holy Land. In order, therefore, to preserve the peace of the kingdom, no time was lost in declaring the Prince to be the King's lawful successor. On the day after the King's funeral, the Earl of Warrenne and Surrey, and the Earl of Gloucester, went to Westminster Abbey, and, with all the clergy and laity there present, swore fealty to Edward at the high altar. The next day, in order to bind the people more strongly to their new but absent King, the Archbishop of Canterbury, the Earl of Gloucester, and other noblemen and prelates, met together in the New Temple, solemnly recognised Edward as their King, and appointed guardians of the realm until his return. These were, the Archbishop of York; the King's cousin, Edward Plantagenet, who was the son of the late King's brother, Richard, Earl of Cornwall; and the Earl of Gloucester.

but, at once acknowledged as King.

Guardians appointed.

Gloucester had been a wavering friend of the late King, siding with De Montfort as often as with the King, and therefore Edward had settled to take him to the Holy Land. But conditions had been made, on which he was allowed to stay in England, and, having been sworn to fidelity by the late King on his death-bed, he became one of the most faithful supporters of the young King. Edward I. A.D. 1272.



King Edward in Armour when in the Holy Land. (From Royal MS. Brit. Mus., 2 A. xxii.)

Edward had arrived in Sicily, on his way home from the Holy Land, when he received the news of his Edward sets out on his return.

Edward I. A.D. 1272.

father's death. From thence he wrote to the Mayor of London, promising to hasten to England with all speed, and bidding him keep the peace until his return. He then crossed over to Italy, where he was well received by the Pope, Gregory X., who had been a fellow pilgrim with him to the Holy Land. Passing through Italy, and received everywhere with great honour as a crusader, he crossed the Alps into Savoy, and so entered France.

Passing through France, is challenged to a tournament.

On his arrival in Burgundy, the Count of Chalons, having heard of Edward's prowess, invited him to a tournament. It was not in the young King's nature to refuse such a challenge, and both sides therefore made ready for the mimic fight. Edward sent to England for knights to take part in the warlike sport, and, on the appointed day, he came to the field attended by 1000 horsemen, besides men on foot. The Burgundians, who, in number, were nearly double the English, seem to have meant mischief from the first; and, doubtless, it was a suspicion of this, that made Edward send to England for his knights. The tournament began, and the mimic fight soon became a bloody battle. The Count of Chalons, with fifty select knights, bore down on the young King, and the Count engaged in a hand to hand fight with him. Finding he could not overcome the King with his sword, he threw his arms round his neck, and tried to pull him from his horse. Edward spurred forward his horse, and the Count fell to the ground, and was killed. The English now set on the Frenchmen with fury, and quickly put them to the rout. After this, Edward went to Paris; where, as a feudal vassal, he was bound to do homage, for his possessions in Gascony, to his Lord Paramount, Philip the Third, King of France. Edward wished to avoid specifying

Edward suspects treachery.

The Count of Chalons attacks the King,

but is killed.

The King of England does homage to the King of France,

exactly what those territories were, lest he should thereby be supposed to have given up his claim to others, to which his right was doubtful. Therefore he did homage in these words: "My Lord, the King, I do you homage for all the lands I *ought* to hold of you." Edward then left Paris and went to Gascony, where, in his turn, he received homage from his subject-vassals. Afterwards he went to Lyons, to see the Pope, who then lived there. At that city he was met by ambassadors from England, who desired him to come home "to reform his desolate kingdom." Accordingly he at once returned to England, where he landed on the 2nd August, 1274, nearly two years after his father's death.

Edward I. A.D. 1273.

and receives homage from the Gascons.

A.D. 1274, Aug. 2nd. The King lands in England.

On his way to London he was magnificently entertained by the Earl of Gloucester, at his castle of Tunbridge in Kent; and by the Earl of Warrenne at that of Reigate in Surrey. He was crowned at Westminster Abbey on the 19th August. "The ceremonial was not less magnificent than that of his father in the same edifice. One circumstance that took place on the occasion was singular. Holinshed states that, 'there were let go at libertie, catch them that catch might, five hundred great horses, by the King of Scots, the Earls of Cornwall, Gloucester, Pembroke, Warren, and others, as they alighted from their backs.'" [10b]

King's coronation.

Alexander the Third, King of Scotland, was present at the coronation, and did homage to Edward as his feudal lord. It became however a matter of dispute, whether he thereby admitted Edward's claim to feudal superiority over the kingdom of Scotland, as will be seen when I relate the history of the wars with that country.

King of Scotland does homage.

Edward I.
A.D. 1274.

Edward's vigour and his love of justice were shown at once. His first employment was the correction of abuses, which had crept in during his weak father's reign; and which had doubtless grown greater, during his own long absence. The better to do this, he issued writs, in the middle of October, only two months after he was crowned, to inquire into the whole state of the realm; and, directly after Easter, the next year, he held a Parliament at Westminster, at which some important laws, called "The Statutes of Westminster the first," were passed. The intention of these great laws is shown by the wording of the preface to them:

Edward begins his reign by correcting abuses.

A.D. 1275.

Statutes of Westminster.

"These are the acts of King Edward, made at Westminster, by his Council, and by assent of the Archbishops, Bishops, Abbots, Priors, Earls, Barons, and all the Commonalty of the realm thither summoned.

"Because, our Sovereign Lord the King had great zeal, and desired to redress the state of the realm, because the state of the realm had been evilly kept, and the prelates and religious of the land grieved many ways, and the people otherwise intreated than they ought to be, the peace less kept, and the laws less observed, and offenders less punished than they ought to be."

Abuse of hospitality corrected.

These were noble words, and the acts were a noble beginning of a great King's reign. Many of the abuses thus corrected, had reference to feudal oppressions, but other matters also which interfered with the rights and liberties of the people, were set right. For instance—persons who were descended from the founders of religious houses, to which large landed estates were attached, used to claim the right of staying at these houses, whenever they pleased, with board and lodging for themselves, their servants and their horses;

hunting in their parks, and taking other liberties, without the consent, and often against the will of those thus encroached on. These oppressions were done away with by the Statutes of Westminster.[13] Edward I. A.D. 1275.

Freedom of elections.

Again, freedom of elections was secured by these Statutes. In those days, this mattered more even than now, for the Sheriffs, Coroners, and others who dealt out justice, were then all elected by the people. "Because elections ought to be free," says the Statute, "the King commands, that no man by force of arms, nor by malice or menace, shall disturb any in making a free election."

Recovery of debts.

Once more: there was a curious, and unjust, custom, in many cities and boroughs, that, if any person of one city, who belonged to any society or guild in that city, owed money in another city, whoever, belonging to such society or guild, went to the city where the debt was due, was held to be answerable for the debt, although he really had nothing to do with it. This custom probably began when offenders were less easily found out and brought up for punishment, and every district was looked on as one community, bound together, so that all who dwelt in it were, to some extent, answerable for the crimes committed in it. It was, however, a rude mode of giving redress, unsuited to the times, and must often have inflicted great wrong. This custom also was now done away with.

Tyranny of the Barons.

Another enactment of this Statute shows the tyranny of the barons, who lived securely in their strong castles, surrounded by their armed retainers. They were in the habit of driving cattle into their castles, and refusing payment to the owners, and it was therefore enacted, that if redress was refused, "the King shall

Edward I. A.D. 1275.

cause the castle or fortress to be beaten down, and no leave shall afterwards be given to rebuild it." The oppression must have been great to call for so severe a punishment.

Oppression of Jews.

The same Parliament, however, passed another act which was harsh and despotic. The Jews who lived in England were rich, and were in the habit of lending money at a high rate of interest, or usury as it was called. Fraud and deceit, in such matters, is justly punished, but the rate paid for the use of money must be a matter of bargain or custom. It was, however, enacted that the Jews should live by trade and merchandise, and not by usury; and that they should wear badges, of a span long, on their upper garments, in order that they might be known. These regulations were not strictly observed, or they would have driven all the Jews out of England. A few years later, (A.D. 1290) however, they were all (nearly 17,000 in number) banished, except those who were put to death, for clipping the coin.

Wars with Wales.

Conquest of Wales,

We now come to the more stirring events of King Edward's reign, and the first subject claiming our attention is, the conquest of Wales.

not originally part of a plan for the union of Great Britain.

There does not seem to be any good ground for believing that the conquest of Wales was, from the first, part of a plan for the union of all Great Britain under one Crown; nor even does it seem, that any motive, beyond that of subduing a troublesome neighbour, and supporting his feudal rights, induced Edward to make war on Llewellyn. There can, however, be no doubt that the conquest of Wales, and its consequent union with England, was a benefit,

not only to England, by giving her additional strength, but to Wales also, by the improvement of her laws, and the establishment of a friendly intercourse between the two nations. Edward I. A.D. 1275.

When the Saxons invaded England, some of the ancient Britons fled into Wales, where they kept their old language and laws, and were ruled over by their ancient line of kings.

During the chief part of the Saxon period, Wales was divided into four portions, viz. Gwynedd, Powys, Dyfed, and Deheubarth, each of which formed, at least at times, a distinct kingdom, and the last included several smaller states. Offa, the powerful king of Mercia, who reigned between the years A.D. 755 and A.D. 794, compelled the Welsh kings of Powys to retreat beyond the Wye, and planted Saxon colonies in the tract of country lying west of the Severn, between that river and the borders of the mountain region, and constructed a ditch and rampart, known as Offa's Dyke, from the mouth of the Dee to that of the Severn. The Welsh constantly broke through the rampart, but, under several of the later Saxon kings, the Welsh were compelled to acknowledge a kind of dependence on England.[25]

Petty wars between the English and Welsh borderers were, however, always going on, and the Kings of England granted the Lords, whose lands joined Wales, such lands in Wales as they could win from the Welshmen. These Lords, who were called the Lords Marchers,[11] introduced the English laws as much as they could, but it was not till Edward's conquest of Wales that English law became general. The Welsh knew that some of the English laws were better than their own, and had themselves prayed, that the Grand

Edward I. A.D. 1275.

Jury (as we now call it) should be brought in, in certain cases;—that is to say, that the truth of a charge should be inquired into by good and lawful men of the neighbourhood, chosen by the consent of all parties. But, in other cases, chiefly relating to debts and the like, they required that the old Welsh system should be kept. This was, that when a matter could be proved by those who had seen or heard, and the complaining party brought such witnesses as could be relied on, he should recover his demand.[12]

Origin of the war with Wales. A.D. 1274.

Thus, the Welsh had long been troublesome neighbours of the English, but the great war between England and Wales began in this way. At Edward's coronation, Llewellyn the Prince of Wales was summoned

Llewellyn refuses to do homage,

to do homage to him, as his feudal lord; but he refused to come, unless the King's son, the Chancellor, and the Earl of Gloucester, were given up to him as hostages for his safe coming and going. He was, or pretended to be, afraid for his life. His demand was not granted. He was again summoned to the Parliament at West-

A.D. 1275,

minster in A.D. 1275, and again failed to appear. Shortly after, the King, being at Chester, on a progress through his kingdom, summoned Llewellyn for the third time. Once more he refused to come, again making excuse of fears for his life. These fears may have been real, as his father had been put into prison in the Tower of London, while on a visit to that city, and, in attempting to escape, he had fallen down and broken his neck (A.D. 1244). Edward now got weary of his vassal's disobedience, and resolved to compel him to do homage, by force of arms. But he did not, at once, take active measures; and Llewellyn determined to be beforehand with the King. He ravaged

and ravages the English borders.

the borders, and took Rhuddlan and other castles.

It is worth mentioning that, this very autumn, the King himself, as Duke of Aquitaine, was summoned by his feudal lord, Philip the Third of France, to attend a Parliament at Paris. He could not go in person, but he sent three noblemen in his stead. Edward I. A.D. 1275.

The following year, an incident happened, which must have taken away the chance of any friendly agreement between Edward and Llewellyn.

During Simon de Montfort's visits to Wales, in the last reign, his daughter Eleanor, a young lady of great beauty, became known to Llewellyn, who fell in love with her. On de Montfort's death, his widow and her daughter took refuge in France, whither Llewellyn now sent, to ask the King to give Eleanor in marriage to him, and to join him in an alliance against Edward. After consulting the mother, Philip granted Llewellyn's request, and the young lady was sent on her way to Wales, accompanied by her brother. All these negotiations became known to Edward, and, by the treachery of a knight in Eleanor's train, he also became acquainted with her intended voyage. The ship in which she sailed, was accordingly attacked, off the Scilly Isles, by four Bristol vessels, and the young lady and her brother were taken prisoners. The Princess was given up to the care of the Queen, but her brother was imprisoned, first in Corfe and then in Sherbourne Castle. Eleanor, the Princess, was Edward's cousin; and, it is not to be wondered at, that he should not favour her marriage with his rebellious vassal.

Llewellyn allies himself with the King of France, and asks leave to marry Eleanor de Montfort. A.D. 1276.

Eleanor de Montfort taken prisoner.

But the capture of his bride was not likely to make Llewellyn better disposed towards the King. Llewellyn offered to ransom the Princess, but Edward refused unless Llewellyn agreed to rebuild and give

Edward I. back the castles he had taken and destroyed. So far
A.D. 1276. was Llewellyn from agreeing to this, that, angry at
Llewellyn invades England. the refusal, he invaded England, taking many strong places.

Edward attacks the Welsh with small success. The King at once marched off to Chester, retook Rhuddlan Castle, and sent forces to attack the Welsh in the West and in the South. During this year he achieved no great success; and did but little more than make ready for carrying on the war the next year. In the autumn, to keep up the warlike spirit of the nobles, he held a great tournament in London, at Cheapside; and, in the beginning of December, he issued writs, summoning all lords, spiritual and temporal, who held of him by knight's service, to meet him at Worcester, eight days after the feast of St. John the Baptist, that is about the end of June, to aid him in putting down the rebellion of Llewellyn.

A.D. 1277. Early in the following year, A.D. 1277, before his army was gathered together, the King sent forces to the Welsh borders, to defend them and hinder the ravages of the Welsh. Fifteen days after Easter,

Edward invades Wales, resolved to conquer. Edward himself set forth for Worcester. He entered on this expedition with great determination, and a firm resolve to stay in Wales till Llewellyn was conquered. Lest therefore he should be long detained in these parts, he removed the Courts of Justice from Westminster to Shrewsbury.

Soon after Midsummer the King set out for Chester.

He cuts his way through a forest to Rhuddlan Castle. The Castle of Rhuddlan, which was so often taken and retaken in these wars, and which was the key of North Wales, was his first point. It was protected however by a forest, so dense that his troops had to cut their way through it. He found the castle

in ruins, and ordered it and Flint Castle, which also had been destroyed by the Welsh, to be rebuilt. The Welsh retreated to the mountainous districts round Snowdon, where Edward could not get at them. Therefore, putting a part of his army on board some ships, which had been fitted out by the Cinque Ports, he crossed over with it to the Isle of Angles-ey, an island, almost as sacred, even then, in the eyes of the Welsh, as it had been to their ancestors, in the remote ages of the Druids. He conquered the island, and his forces having been successful also in the South, Llewellyn sued for peace. This was granted, on condition that all Wales, except Angles-ey, should be given up to the King of England. For Angles-ey, Llewellyn was to pay a large sum; and he agreed to do homage to Edward. But, to prevent his utter degradation in his own eyes and those of his people, it was settled that five barons of Snowdonia should do homage to him. Llewellyn also agreed to make satisfaction to his brothers, whom he had injured; one of whom, David, had fled to England, and had been married, by the King, to the daughter of the Earl of Derby.

Edward I. A.D. 1277. The Welsh retreat to Snowdon. Edward invades Angles-ey. Llewellyn sues for peace.

Edward ordered the Castle of Llan-padarn Vawr, or Aberystwith, to be rebuilt, to maintain perpetual watch and ward against incursions into the southern parts,[13a] and returned to England. One-thirtieth of all movables was granted him by parliament for the cost of the war with Wales.

Thus ended, for a time, the war with Wales. But Llewellyn, being left a prince in name only, did not rest long contented with his barren honours, and soon, as we shall see, broke out again into rebellion.

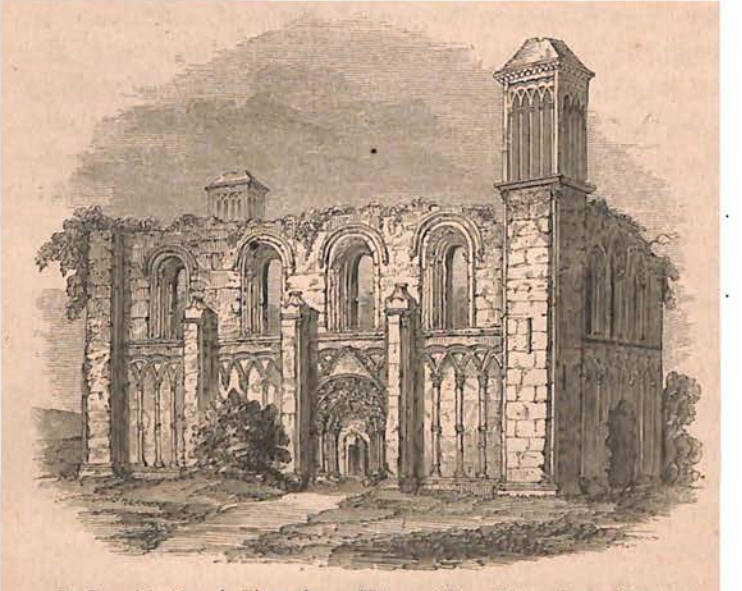
War with Wales ends for a time.

Early in the following year, A.D. 1278, the King and Queen made a pilgrimage to Glastonbury Abbey,

A.D. 1278. Edward and his

Edward I.
A.D. 1278.
Queen Eleanor visit the supposed tomb of King Arthur.

in Somersetshire, where they visited the tomb said to contain the bones of King Arthur, and of Guinivere his Queen. Some bones were shown them, which were reburied with great solemnity, and an inscription was put up over the high altar in



St. Joseph's Chapel, Glastonbury Abbey. (From Britton's Architectural Antiquities of England, vol. iv. p. 196.)

memory of the visit of Edward and Eleanor to this supposed tomb of Arthur. Whether Edward and his Queen believed that the bones were the remains of King Arthur, and that the tomb was truly his, cannot now be known; but it is quite certain, that there is no reliable account of Arthur having been buried at Glastonbury, or indeed anywhere else. That there was a King Arthur, who ruled over a part of Western Britain, and resisted the Saxons, about

the 5th or 6th century does not admit of doubt. But, unfortunately, there is no ground whatever for believing that he was, in his lifetime, the hero of romance he afterwards became. In his own day, he had no more renown than many a petty king who went before, or came after him, and it was not until 300 years after his death, that he was turned into a hero. It is to be regretted, that we must cease to believe in the existence of the perfect, noble, character, which Arthur, in romance, is described to be; it is sad that the Knights of the Round Table, men of unsullied purity, and animated by the most fervent religion, have no place in authentic history. But the truth must be spoken, and King Arthur be reduced to a petty king of small renown.

Edward I. A.D. 1278. Fabulous history of King Arthur.

It is difficult to trace the steps by which Arthur became an object of almost worship, but it is certain that, after a time, he was looked on by the Welsh, and by all the remnants of the Ancient Britons, as the royal warrior who had successfully resisted the hated Saxons, and who would one day reign again, and trample them under his feet. For this reason, it was represented that he was not dead, but either slept, surrounded by his knights, in a vast cavern, unknown to mortals; or was transported to some happy land, beyond the earth, from whence he would return to gladden the hearts of the Britons. These vain hopes encouraged the Welsh in their rebellions, and it was therefore desirable to prove that Arthur was indeed mortal, that he had died like other men, and that consequently it was in vain to resist the English, in hopes of his victorious return. Henry the Second had tried to convince his people that Arthur was dead by a pretended discovery of his

The Welsh believe in Arthur's victorious return to earth.

Edward seeks to destroy this idea.

Edward I. A.D. 1278. tomb at Glastonbury, and it may fairly be surmised, that Edward and his Queen were actuated by the same politic motives, in thus again solemnly examining and reburying the bones of Arthur and his Queen.

Edward directs his Attention to improving the Condition of England.

Edward having conquered the Welsh reforms abuses in England.

Edward now turned his mind to matters concerning the quiet and good government of his own kingdom. "During the troubles of the last two reigns," says Rapin, "divers persons had appropriated to themselves lands to which they had no right." The King therefore issued writs of "Quo Warranto," that is, writs to inquire by what warranty men held their estates. The barons resisted. "My ancestors," said the Earl of Warrenne and Surrey, who had entertained the King with so much pomp before his coronation, "My ancestors, coming in with William the Bastard, won these lands by the sword, and by the sword will I defend them, against any that will take them away. For the King did not conquer for himself alone, neither did my ancestors help him for that end." Edward found he had stirred up a nest of hornets, and was fain to give in. The barons were too strong for the King for some time to come. It was well it was so; they still had work to do for England, though they did it for themselves alone. When that work was finished, they had to give way.

The barons resist.

Edward improves the coin of the realm.

There was another weighty matter calling for the King's attention. The money in those days was chiefly coined in silver pence, dented deeply with a cross, so that it might easily be cut into half-pence

and quarter-pence, or farthings. It was thus easy to clip, or cut the coin, and so lessen its value, to the profit of those who thus injured it. Edward ordered inquiries to be made to find out who were the offenders. Edward I. A.D. 1278.

The Jews were accused, and multitudes of them were therefore thrown into prison, and nearly 300 were put to death in London, besides numbers in other cities. The sword of justice, (or of injustice,) was sharp and ready in those days.

We must now return to the history of Wales. According to his promise, Llewellyn came to London, with some of his principal nobles, and did homage to Edward on Christmas-day, A.D. 1277. The Welsh nobles, however, were but little accustomed to the comparatively civilised life led by the English, and were therefore much irritated at the manner in which they were received by the Londoners. "They came, according to their custom, attended by large retinues, and were quartered in Islington and the neighbouring villages. These places did not afford milk enough for such numerous trains. They liked neither wine, nor the ale of London, and though plentifully entertained, were much displeased at a new manner of living, which did not suit their taste, nor perhaps their constitutions. They were still more offended at the crowds of people, that flocked about them, when they stirred abroad, staring at them as if they had been monsters, and laughing at their uncouth garb and appearance. They were therefore so enraged, that they engaged privately in an association to rebel on the first opportunity, and resolved to die in their own country, rather than ever come again to London, as subjects, to be held in such

Llewellyn comes to London to do homage. The Welsh are laughed at.

Edward I. A.D. 1278.

derision." It was however nearly four years before they again broke out into rebellion.

After the ceremony of doing homage was over, Llewellyn was summoned to attend a Parliament, early in 1278, but he failed to appear. Edward, beginning to suspect his fidelity, went down to Wales to watch him. Llewellyn thought it best to yield; he made excuses, and regained the King's favour so far, as to induce him to consent to his marriage with Eleanor de Montfort. The marriage took place at Worcester in the following autumn, the King paying all the cost of the solemnity. Llewellyn and his bride kept their Christmas with the King, at Westminster; "with great jollity," as the chroniclers say. Edward's conduct to Llewellyn was certainly generous and wise. Llewellyn's, as will be seen, making every allowance for his own and his former subjects' feelings, was neither one nor the other.

Llewellyn married to Eleanor de Montfort.

A.D. 1279. Edward and his Queen go to France to do homage for Aquitaine, and give up Normandy.

The following year, A.D. 1279, Edward and his Queen went to France to do homage to Philip for the Earldom of Ponthieu, in Picardy, which had lately fallen to the Queen by the death of her mother. Edward did homage also for Aquitaine. Philip confirmed possession of these territories to Edward and his heirs for ever; in consideration of which Edward gave up all pretensions to Normandy.

They return to England.

On the King's return to England he again turned his attention to the improvement of his kingdom. His first act was to issue a new coinage in place of that debased by the Jews and goldsmiths. The new coin was called the round penny, not because the old coin was square, but because the new was not stamped with a cross. This new coinage seemed to the

Welsh to be the fulfilment of an old prophecy; which said, that when money was made round, the Prince of Wales would be crowned in London. This encouraged them to break out, shortly afterwards, into a new rebellion. Edward I. A.D. 1279. Welsh superstition about round money.

A most important law was made this year by the King and his council at Westminster. This was called the Statute of Mortmain.

The power of the Church, especially in Roman Catholic times, was very much abridged by this law. Men's fears on their death-beds were often excited by the priests, and, in order to atone for past crimes, they gave their lands and possessions to religious houses. These were said to pass into mortmain, or the dead hand, because no benefit to the state could then come from them. As mentioned in my last Lecture, fines were paid to the King when property changed hands at the death of the owner. But religious bodies, and other corporations, could not die, and the King therefore lost his fines for ever. Besides this, by its consequent accumulation of enormous wealth, the Church became too powerful for the good of the country. The practice was always contrary to law, and had been expressly forbidden by Magna Charta; but the law was constantly evaded, till Edward's Statute of Mortmain, according to which, property, thus left, became forfeited to the Crown. Law of mortmain.

War with Wales begins again.

During the next year, A.D. 1280, all went on quietly in England, but in the following, A.D. 1281, troubles in Wales again began. A.D. 1280. Troubles in Wales begin again.

Llewellyn's wife had died, and thus was severed one

Edward I. A.D. 1280. of the ties which bound him to the King. He complained too of the oppressions of the English, and pretended that Edward had broken the conditions of peace. The oppressions were probably only the improvements of the laws, and the substitution of those of England for the ancient institution of Wales. But Llewellyn was of a restless nature, and doubtless he and his mountain subjects were uneasy at the loss of their independence. Still, his faithlessness cannot be excused. His brother David's perfidy is even less pardonable; notwithstanding Edward's many favours, David joined his brother, took command of the Welsh army, and seized the Castles of Rhuddlan and Hawarden.

The King, at once, acted with his usual energy. He summoned a council of the nobility to meet him at Worcester on Midsummer-day, and ordered them all to be ready, with their horses and arms, at the end of August. Again he removed his Courts from Westminster to Shrewsbury.

Edward again invades Wales.

On his approach, the Welsh retreated from Rhuddlan, but in South Wales they had more success.

Edward now sent the Archbishop of Canterbury to offer peace, in answer to which Llewellyn put forth a long list of grievances. These were, mainly, complaints that English law was put in the place of Welsh. The King demanded absolute submission, but at the entreaty of the Archbishop a compromise was proposed. The chief conditions were, that Llewellyn should give up the whole of his kingdom, and that a handsome pension should be settled on him. As might be expected, Llewellyn refused; so the Archbishop gave up all attempts at mediation, and excommunicated Llewellyn and his friends.

The year was now far spent, and Edward retired to Worcester for Christmas. Edward I. A.D. 1281.

At the beginning of the following year, A.D. 1282, he again began the war, but with so little success, that, at the end of November, he issued writs from Rhuddlan Castle, ordering "all those who have 20*l.* (240*l.* of our money) a year and upwards, who are able and fit to bear arms, and who are not at present with us in our expedition against the Welsh," and also "four knights of each county," and "two men of every city, borough, and mercate town," to meet him at Northampton on the 20th January, A.D. 1283. A.D. 1282. Edward summons a large army to invade Wales.

They were summoned "to hear and to do things, which, on our behalf, we shall cause to be shown unto them," relative to this Welsh rebellion. In these writs, the King urgently set forth his difficulties, saying, "we propose finally to repress their rebellion, and instability; so as it shall not be in their power to disturb the peace of the nation when they please, although that it seems to be a very great charge, and a most difficult undertaking."

But before this council could meet, the war was nearly ended. These writs were issued at the end of November, A.D. 1282. In the beginning of that month, the English met with some reverses. On November 6th, the King marched forth from Rhuddlan Castle, intending to attack the Welsh in their stronghold of Snowdonia, as the district round Snowdon was called. He crossed the river Conway by a bridge of boats, and then, thinking it wise again to conquer the Isle of Angles-ey, before going into the mountains, he sent part of his army over to the island in ships. After reducing the island to submission, he built a bridge of boats, across the Menai Straits, Again invades Angles-ey.

Edward I. A.D. 1282. builds a bridge of boats to return.

opposite Bangor, for the passage of his army. Some of the bolts and rings may be seen fixed to the rocks to this day. Part of his army passed over before the bridge was quite finished, that is before the end was firmly fixed to the mainland. It was low water when they crossed, and when the tide flowed, the bridge was carried away. The soldiers who had crossed, were thus separated from their comrades, and left at the mercy of the Welsh, who rushed down from the mountains furiously, and slew great numbers of them. Llewellyn, encouraged by Merlin's prophecy about round and square money, was much elated with this success. He dared not however attack the King, but marched off to South Wales, where the English were gaining great advantages. He marched into the cantred, or division, of Radnorshire, called Builth; and, having crossed the Wye, he encountered the English under the command of Lord Edward Mortimer. Llewellyn was not present at the fight; having gone, with one attendant only, to confer with some of the Welsh leaders. During his absence, his soldiers guarded the bridge of Orewyn, by which he had crossed the Wye. The soldiers were betrayed by one of the natives; who showed the English a ford, by which they crossed the river, and, falling on the Welsh, put them to the rout.

bridge destroyed.

Welsh attack the English.

Llewellyn goes to South Wales.

Llewellyn was now on his way back to join his soldiers, little thinking what had happened. He was met by one Stephen Francton, who knew not who he was; but, taking for granted that he was a Welshman and an enemy, he fought with him and slew him. It was afterwards discovered that this unknown foeman, thus slain in a casual fight, was no other than the Prince of Wales. The Welsh rebellion was thus put down by a mere accident. Llewellyn's followers were

Llewellyn killed.

discouraged and scattered; there was no longer a trusted chief to lead them on, and the rebellion was at an end. Edward I. A.D. 1282. End of wars with Wales.

This last expedition took Edward, in person, more than a year to bring to a successful issue.

Llewellyn's head was cut off, sent to London, and carried down Cheapside in triumph. The whole of Wales now submitted. The bridge over the Menai was finished, and the English army passed over. David tried in vain to carry on the war, but he was soon taken prisoner; tried for treason; hung, drawn, and quartered. This was the only savage punishment inflicted on any of the Welsh insurgents.

King Edward now passed through all Wales, establishing English law, and rebuilding the castles— among others those of Conway and Caernarvon. He stayed in North Wales nearly the whole of this and the following year. During the latter, A.D. 1284, the Queen gave birth, in the fortified town of Caernarvon, to a son, who was afterwards (A.D. 1301) created the Prince of Wales. Since that time the King's eldest son has always, with the exception of Edward the Third, the sons of Henry the Fifth, of Henry the Eighth, of Charles the First, and of James the Second, been created Prince of Wales.* The King's eldest son is not so by birthright, but by creation; and the Earldom of Chester has, since the time of Henry the Fourth, always been granted in conjunction with the Principality of Wales.† Since the time of Edward the Black Prince the King's eldest son has always been by birthright Duke of Cornwall.‡

Edward remains in Wales. A.D. 1283. A.D. 1284. Prince of Wales.

At the beginning of the following year, A.D. 1285, the King returned to London; having been absent A.D. 1285.

* See Note A, p. 336. † See Note B, p. 336. ‡ See Note C, p. 337.

Edward I. A.D. 1286 to A.D. 1288. Edward goes to France.

nearly three years. He remained in England the whole of the year, but the next year he went to France, where he stayed for three years. The matters which mainly occupied him abroad, and which detained him so long, have but little bearing on the history of England, and are not in themselves of any great interest or importance. They were, first, his demand of the provinces taken from King John and King Henry the Third; next the homage due from him to Philip the Fourth, called the Fair, King of France, who had lately succeeded to his father, Philip the Third, called the Hardy; and lastly an agreement he had undertaken to make between the Houses of Arragon and Anjou, concerning the kingdom of Sicily.

Matters relating to social life in England.

During the King's absence, most important events occurred in Scotland, which almost entirely occupied the King during the rest of his reign. These will be related in due order, but I must here mention a few facts, relative to the internal history of England, which belong to this time.

Westminster Abbey finished.

It was at this time, that is in the year A.D. 1285, that the now existing Abbey Church of Westminster was finished, having been begun forty years previously, in the reign of Henry the Third, on the site of a more ancient church. The previous church was built by Edward the Confessor, on the ruins of a church and monastery, built by Sebert, King of the West Saxons, and destroyed by the Danes. This church was completed A.D. 1065.[1a] On the 16th May, A.D. 1220, Henry the Third laid the first stone of a new chapel (on the site of which Henry the Seventh's Chapel was afterwards built); and in A.D. 1245, he began to pull down the Confessor's church in order to rebuild it entirely. On October the 13th, A.D.

1269, the eastern part, choir and transept, were opened for service, but the choir was not completed till A.D. 1285.[26] Edward I. A.D. 1288.

About this time also, we have a glimpse of the way in which the foreign commerce of England was carried on in those days. "Merchant strangers, as they were called, were now first permitted to rent houses, and to buy and sell their own commodities themselves, without any interruption from the citizens. Before this time, they hired lodgings, and their landlords were the brokers who sold all their goods and merchandise for them. This deserves notice, because it shows us the restrained manner of commerce in those days, when strangers managed most of the trade, and English merchants brought few foreign commodities into the kingdom."[2] Foreign commerce.

This year also, the King took away the Charter of London, and turned out the mayor, because he had suffered himself to be bribed by the bakers, who sold their bread six or seven ounces too light in the one-pound loaf. Extortions of bakers.

On his return from France, the King's "first care was to reform several abuses introduced in his absence, particularly in the administration of justice."[14] It was said that "there were not any of those judges, or officers, though counted among the wisest, and most knowing men of the kingdom, whose innocence could bear a strict examination, or who could make any reasonable defence to those many accusations, that were then preferred against them."[4] A Parliament was therefore summoned at Westminster, to which "all those who had anything to object against his justices, sheriffs, and other inferior officers, should come in and be heard."[3] From this it seems, that these A.D. 1289. Abuses in the administration of justice.

Edward I. A.D. 1289.

Parliaments were sometimes a kind of court of justice and appeal.*

At this parliament, above twelve judges, including the chief justices, itinerant judges, the Master of the Rolls, and others, were fined to the extent of above 100,000 marks, and the King obliged his justices to swear, "that they would receive no bribe nor present from any one, save only eatables, which they might take according to law."[4]

King Edward had now been eighteen years on the throne, and, with the exception of the three years passed in France, and the three years which elapsed before he was crowned, his time had been devoted to the settlement and improvement of his country, and to the conquest of Wales. The greater part of the rest of his reign, was occūpied in wars with Scotland, of which I shall now proceed to give you an account.

Affairs of Scotland.

Affairs of Scotland.

Death of Alexander the Third.

Alexander the Third, King of Scotland, died on March 19th, A.D. 1286, a short time before Edward's departure for France. His Queen, who had died some years before (in A.D. 1275), was Edward's sister. His children all died before him; and none but Margaret, who had been married to Eric, King of Norway, left any child. Margaret left only one, a daughter, also named Margaret, and called the Maid of Norway.†

The Maid of Norway, the successor to the throne.

At the death of Alexander, she was scarcely three years old; but, being the only living descendant of Alexander, she was heiress to the throne of Scotland. It was important to settle who should be her

* This view is confirmed by the wording of the 29th Ordinance passed in the reign of Edward the Second, as will be seen in the history of the next reign.

† See Genealogical Table, p. 341.

husband, and a Parliament was therefore assembled at Scone in Scotland (on April 11th, A.D. 1286) to settle this weighty business. To this Parliament, Edward sent ambassadors, to ask her in marriage for his son Edward, her cousin-german. This request was well received, but nothing was settled before the King's visit to France.

Edward I. A.D. 1286.

During his absence, other claimants[14a] for the throne of Scotland arose; and, after much strife, open war broke out between the two chief claimants, Bruce and Baliol. The Estates, or Parliament, of Scotland became alarmed,[14b] and sent ambassadors to Edward in France, to ask his advice and mediation. The King of Norway also sent to him, at the same time, to treat of Scotch affairs.

Other claimants.

Scotch Estates appeal to Edward.

On his return to England, Edward appointed a meeting at Salisbury, between the Scotch nobles, the Commissioners sent by the King of Norway, and others, appointed by himself, to consider what should be done. It was there agreed, that the Maid of Norway should come over, either to England or Scotland, unfettered by any promise of marriage; that if she came to England, Edward, so soon as Scotland was in a safe and quiet state, should send her there, but still free from any marriage contract; and lastly, that she should not marry without the consent of the King of Norway. The government of the kingdom had been placed in the hands of six guardians, or regents, at the death of Alexander; two of them were dead, but the kingdom still remained under the charge of the remaining four.

Meeting at Salisbury.

Maid of Norway to come to England or Scotland.

King Edward perceived that there was now an opportunity of uniting Scotland with England, and thus making the whole island of Great Britain one

Edward begins to plan union of Scotland and England.

Edward I. A.D. 1286.

kingdom, if he could bring about the marriage of his eldest son with the Maid of Norway.

The Scotch approve of the heir of the English throne marrying the heiress of the Scottish throne.

Having therefore obtained a dispensation from the Pope, permitting the marriage of the two cousins, he directed the Scottish Commissioners at Salisbury, to ascertain, on their return to Scotland, whether such a marriage would be well received by the Scotch nobles.

A meeting of the Scotch Estates was accordingly held at Roxburgh, at which the King's proposals were well received, and a favourable answer was therefore sent to him. A letter was also sent to the King of Norway, informing him of the consent of the Scotch nobles to the proposed marriage, and requesting him to send his daughter to Scotland.

Important treaty between England and Scotland;

In the meantime, a treaty relative to the intended marriage was drawn up between Edward and the guardians of Scotland. It is most important to observe, that it provided in every way for the independence of that country, and for the maintenance of its ancient laws. It was settled that no person should be obliged to go out of Scotland to do homage, that the Scotch parliament should be held in Scotland, and above all that the kingdom of Scotland should remain separated, divided, and free in itself, from the kingdom of England, without any subjection, by its true bounds and limits, as it had been before time. To this condition, however, was added, "with a saving of the King's right, which he had before this."

with important reservation.

Had Edward feudal rights over Scotland?

From the very beginning of Edward's reign, it had been matter of dispute whether the King of England was feudal lord over the whole of Scotland. When Alexander, King of Scotland, did homage to Edward, at his coronation, he was careful to avoid the admission that he thereby did homage for any lands except those in England.

Edward I. A.D. 1290.

But, we must recollect, that England formerly extended over a considerable part of what is now called Scotland. In the reign of Edgar, the Bridge of Stirling was the boundary between England and Scotland;[5] and the ancient kingdom of Northumbria, which became a part of England, extended to the Firth of Forth. It is, in the highest degree, probable, therefore, that the King of England had feudal rights as far as the Firth of Forth, but not farther.

Death of the Maid of Norway. A.D. 1290.

These matters are of great importance in relation to the events which shortly followed; for, to the misfortune of Scotland, all these preparations for the arrival of the Maid of Norway turned out vain. The princess died on her voyage, and thus ended all hopes of a peaceable settlement of Scotch affairs. This event happened in September, A.D. 1290.

Competition for the throne. Edward asked to assist in choosing the King.

The various competitors for the throne at once began a struggle for its possession, and Edward was appealed to by the Bishop of St. Andrews, one of the guardians of Scotland, "to come to the borders, and enable the faithful men of the realm, to choose him, for their King, who by right ought to be so."[15] Edward agreed, and for this, the Scotch charge him with ambition. But they are supported by one historian only, who says, "The King of England, having assembled his Privy Council, and chief nobility, told them, that he had it in his mind, to bring under his dominion the King and realm of Scotland, in the same manner that he had subdued the kingdom of Wales."[16] It is unlikely that such was his original intention, for, if it were, he would hardly have been so careful to judge rightly between the claimants to the throne.

King and Queen set out to go to Scotland.

In compliance with the Bishop's request, Edward and his Queen set out on their way to Scotland, "to

Edward I. A.D. 1290.

compose and determine the differences which he perceived would arise concerning the succession." On the way, Queen Eleanor fell sick, and died of a fever, at Herdeby, in Lincolnshire, on November 28th, A. D. 1290. This sad event put a stop to his journey for that year. Eleanor deserved the deep affection of the King, and there is every reason to believe she possessed it, and he now resolved to pay due respect to her memory. Her body was taken to London by easy journeys, and wherever it rested on its way, stone crosses were put up in remembrance of the fact. "In the bitterest grief, he followed her corpse in

Death of Eleanor, A.D. 1290.

Crosses put up in her memory.

Statues of Queen Eleanor on the Northampton Cross.
Copied (by permission) from Miss Hartshorne's "Enshrined Hearts."

person, during thirteen days, in the progress of the royal funeral, from Grantham to Westminster. At the end of every stage, the royal bier rested, surrounded by its attendants, in some central part of a great town, till the neighbouring ecclesiastics came to meet it in solemn procession, and placed it before the altar of the principal church."[23d] At every one of these resting-places a cross was erected,

and thirteen of these splendid monuments once existed.* "Waltham Cross, Geddington, and that at Northampton, still exist, and are singular specimens of architectural beauty. The statues of Queen Eleanor from the Monumental Cross at Northampton, serve to depict her graceful bearing and the gentleness of her soul." [10a] The cross erected in Cheapside was destroyed by the bigoted fury of a mob at the time of the Reformation, and that put up at what was then the village of Charing, though no longer existing, still gives its name to Charing Cross, in London. The Queen was buried with great solemnity in Westminster Abbey. Edward I. A.D. 1290.

In the following year, the King summoned the great men of Scotland, to meet him at Norham on the borders of Scotland, on the 10th of May, to consider what should be done. At the same time, he summoned his barons and military tenants to meet him at the same place, three weeks afterwards. The King was determined to support the feudal rights he claimed over Scotland, and he may have wished, in case of difficulty or delay, to overawe the claimants to the throne into an admission of these rights, by the presence of his army. A.D. 1291. Edward calls a meeting of Scotch nobles at Norham.

On the appointed day the assembly took place, when the King, through his Justiciary, Roger Brabazon, demanded, as a preliminary, the recognition of his claims as Lord Paramount of the kingdom of Scotland. Unless these were admitted, he could have no legal claim to sit in judgment on the question. The Scotch nobles were not prepared with an answer, and Asserts his claims as Lord Paramount.

* "These are not tokens of the affection of her husband, as usually supposed, but were erected by her executors in compliance with directions in her will." [27]

Edward I. A.D. 1291.

asked for time to consider. Edward, actuated seemingly by a design to drive them into submission, granted them one day only, but, on their remonstrance, he gave them three weeks. This was the time at which his army was to meet him.

This line of conduct shows the King's determination to insist on and to compel an acknowledgment of his claims to be the feudal lord of Scotland, in the same way that he had insisted on the acknowledgment of like claims over Wales. But, as with Wales, so with Scotland, there is nothing to support the charge that Edward, from the first, had resolved to conquer the country, and to make it a part of his own kingdom.

The Scotch nobles hesitate to admit his claim.

On the 2nd June they again met, but the Scotch nobles were not, even then, prepared with any answer. They had had plenty of time to consider, and must have feared to offend Edward by disputing his claim. Had they been convinced of its validity, they would not have hesitated to admit it openly. The King declared therefore, that he would exercise his right to settle the succession to the throne.

The competitors admit his claim.

All the competitors then acknowledged Edward as Lord Paramount of Scotland, and agreed to abide by his decision. The whole of the land and castles were delivered up to him, to be restored within two months after the award. The King required only the formal acknowledgment of his claims, for he at once gave back the kingdom to the keeping of the regents. It was then agreed that a meeting should take place, at Berwick, on the 2nd August, when the various competitors should put forward the grounds of their claims.

Competitors summoned to meet at Berwick.

In the meantime, Edward made a progress through Scotland; receiving oaths of fealty from all the nobles.

Only three have a valid claim.

On the appointed day twelve competitors appeared,

but there were only three whose claims were really worth consideration. These were, John Baliol, Lord of Galloway; Robert Bruce, Lord of Annandale; and John Hastings, Lord of Abergavenny. Edward I. A.D. 1291.

The direct descendants of King William the Lion, viz. Alexander the Second and Third, having died without children, the successor to the throne was to be found among the descendants of his brother, David, Earl of Huntingdon.* Origin of their claims through the female line.

David had no son, but three daughters. Margaret, the eldest, married the Earl of Galloway, whose grandson was John Baliol; Isabella, the second, married Robert Bruce, whose son was Robert Bruce, Lord of Annandale; and Ada, the third daughter, married Lord Hastings, of whom John Hastings, Lord of Abergavenny, was the son. Baliol was therefore the grandson of the eldest daughter, while Bruce and Hastings were the sons of the second and third.

The claims of the various competitors having been heard, their further consideration was postponed till the 2nd June, the following year, A.D. 1292. At this meeting, it was decided, that the claims of Baliol and Bruce should be first heard, and it was settled that the King's decision should be given on the 14th October following. On that day, the grounds, on which these two competitors rested their claims, having been heard, the King asked his great council, "whether the more remote by one degree in succession, coming from the eldest daughter, ought, according to the laws and customs of those kingdoms, to exclude the nearer by a degree coming from the second sister? or, whether, the nearer by one degree descending from the second sister, ought, by the laws and Decision postponed. A.D. 1292. Edward proceeds with great deliberation.

* See Genealogical Table, p. 341.

Edward I. A.D. 1292.

customs of those kingdoms, to exclude the more remote by a degree, coming from the eldest sister?"[6] The unanimous answer to this was, that the descendant from the elder sister, should be preferred to the descendants of the younger sisters. Edward still acted with the greatest deliberation, and took further time for consideration; but, before his final decision, Bruce and Hastings each set up a claim to a third of the kingdom. It was, however, quickly decided that the kingdom of Scotland was indivisible, and on the 17th November, King Edward gave judgment in favour of Baliol.

Nov. 17, A.D. 1292. Edward decides in favour of Baliol.

Orders were at once issued to the governors of the castles throughout Scotland to deliver them up to Baliol; and the great seal of Scotland was broken into four parts, which were deposited in the treasury of the King of England, as an evidence of the pretended sovereignty of England over Scotland. The next day Baliol swore fealty to Edward, and soon afterwards he was crowned at Scone. On the 26th December he did homage to Edward at Newcastle-upon-Tyne.

No doubt can now be entertained of the strict justice of Edward's decision in favour of Baliol, and, whatever opinion may be held of his subsequent conduct, there does not appear to be any valid ground for imputing to him designs against the crown of Scotland up to this time.

Baliol a weak man, and Edward tyrannises over him,

Unfortunately for Scotland, Baliol was a weak man; and Edward, it must be admitted, trampled on him, regardless of his pledges to the regents of Scotland. It is possible, that throughout all these transactions, Edward may have had glimmering thoughts, that the day might come, when the divisions among

the Scotch nobles would give him a chance of dealing with Scotland, as he had dealt with Wales. But, if such ideas did cross his mind, he did not allow them to influence his acts before Baliol was on the throne. It is, however, unusual, to wait till the victim is firmly seated in a place of power, before an attempt is made to sacrifice him. Still, till Baliol was on the throne, Edward treated him with justice and courtesy. No sooner was he made king, than Edward became unjust and despotic towards him. Edward I. A.D. 1292.

Within four days of Baliol's doing homage, a complaint was made against some of the judges appointed by Edward while the throne was empty. Edward was reminded, that he had promised to observe the laws of Scotland, in answer to which, Roger Brabazon, his Justiciary, replied, that, "if the King of England had made any such temporary promises, when there was no king in Scotland, he had performed them, and that, by such promises, he would not now be restrained or bound." The King himself repeated the same, and added, that, "if it were necessary, and the quality of the cause required it, he would call the King of Scotland himself, to appear before him, in his kingdom of England." and behaves unjustly.

This threat was soon put in execution; but, in the meantime, the wretched Baliol had released King Edward from all his promises and oaths. Baliol had now to submit to still further degradation. The Earl of Fife complained, that he had been deprived of certain lands and tenements by Baliol, and appealed to Edward, as his Lord Paramount, for redress. Edward summoned Baliol to appear before him in England, although it had been agreed, in the marriage treaty, that no person should be summoned out of Baliol releases the King from his promises, and consequently has to submit to further degradation.

Edward I. A.D. 1292. Scotland to do homage. Baliol had spirit enough, for the moment, to disregard this summons, but, on Edward again summoning him to appear before his Parliament at Westminster, his heart failed him. He A.D. 1293. presented himself before the Parliament, the following Michaelmas, A.D. 1293. On being asked, what answer he had to make to the complaints of the Earl of Fife, he replied, "I am the King of Scotland. To the complaint of Macduff, or to any matters respecting my kingdom, I dare not make answer without the advice of my people." "What means this refusal?" cried Edward. "Are you not my liegeman? have you not done homage to me? is it not my summons that brings you here?" Baliol still struggled in the meshes of the net, in which he was entangled, alleging, that he dared not answer without the advice of his people. The Parliament supported Edward, and advised him to seize three of the strongest castles in Scotland. But he feared to go too far. He did not wish to provoke the Scotch into open rebellion, and at last, agreed to postpone the further consideration of this business till the following year.

Wars with France.

Disputes with France. Origin of quarrel with France.

We must now leave Scotland for a time, as Edward was occupied in disputes with France, and disturbances in Wales, during the next two years.

The dispute with France began in this way. In the spring of A.D. 1293, certain English and Norman seamen were getting water for their ships, at a spring on the coast of Normandy, when a quarrel arose between them, which ended in the death of a Norman. His countrymen tried to avenge his death, but were

defeated. The Normans then complained to the King of France, who gave them leave to pillage the English. A number of petty sea-fights now took place, till, at last, a large French fleet, sailing to Gascony to fetch wines, met with, and destroyed, a number of English ships. The inhabitants of the Cinque Ports were greatly enraged at this, and fitted out a fleet of about sixty vessels, to attack the French on their return from Gascony. In this they succeeded, and gained a complete victory, seizing the wine with which the ships were laden. The King of France now demanded satisfaction of Edward, who, in reply, made very reasonable proposals. But the King of France would not listen to them, and ordered, that no French goods should be sent to England, and that no English goods should be allowed to come in to France. This was an injury to both nations,—as much to his own subjects, as to the English. In those days the true principles of commerce were not understood, and people thought they could injure their neighbours without hurting themselves. Philip, the King of France, not only did this, but he also summoned Edward, as his vassal the Duke of Aquitaine, to appear before him at Paris, to answer for the injuries and rebellions he had committed. Edward did not appear, and the King of France declared therefore that all his French dominions were forfeited.

Edward I. A.D. 1293.

The King of France summons the King of England as his vassal; he does not appear.

The French attempted to take possession of Edward's dominions, but without much success, for Edward had prepared to defend himself. Nevertheless he negotiated for peace, and gave his brother, Edmund, Earl of Lancaster, who was then in France, full powers to treat on such conditions as might prove satisfactory to the French King, and not be dishon-

The French try to seize Edward's dominions in France.

Edward I. A.D. 1293.

ourable to himself. Edmund however found great difficulties in bringing this about; and was on his way to England, when he was induced to return by messengers from the Queen and Queen Dowager of France, who had lent themselves, as will presently be seen, to a plot, prepared by the King of France, to obtain possession of Edward's French dominions by fraud.

Treachery of the French.

Conditions of peace.

The Queen and Queen Dowager offered their good offices, to mediate between France and England. The conditions proposed put Edward completely in the hands of Philip. Six of the strongest castles in Gascony were to be given up to the French; an officer, appointed by the King of France, was to live, and preside in his name, in every city of the Duchy, except Bourdeaux, Bayonne, and La Reole, till peace was concluded; and the King of England was to give hostages, for the due performance of the articles of peace, that were to be agreed between them. On these conditions being fulfilled, it was agreed that the King of France should recall his summons for the appearance of King Edward in Paris, and that the two Kings should meet at Amiens to settle conditions of peace, on conclusion of which the castles and hostages were to be restored. Letters of safe conduct were to be sent to Edward, previous to his setting out for Amiens.

Edmund wished to make sure, that these proposals were approved of by the King of France, and, with this object, he sought an interview with him. The King promised, on the word of a king, to do all that the Queens had promised. Letters were then sent to recall the Constable of France, who was on his way to invade Gascony; and the Governor of that province,

believing that all matters were settled between Edward and Philip, unwarily sold the stores he had provided for the garrisons. Edward I. A.D. 1293.

Philip's treachery, and the deceit of the two Queens, now came to light. Finding that Gascony was at his mercy, he sent orders to his Constable, to go on with the invasion, and the province fell into the hands of the French. Edmund appealed to Philip, reminding him of his promises. But the French King denied all knowledge of any agreement between them, and Edmund therefore at once returned to England. The French obtain possession of Gascony through treachery.

On his arrival, Edward summoned a Parliament, to meet the week after Whitsuntide, to consider what should be done. It was agreed, that, "the countries that had been thus seized by treachery, should be recovered by the sword." Edward then sent over to France to renounce his fealty to Philip, and at once made great preparations for war. He collected an army of 20,000 foot, and 500 horse, and went himself to Portsmouth, to take command of the troops intended for the invasion of France. War with France resolved on by Parliament.

In order to obtain money for the war with France, and to quell disturbances in Wales, which had arisen from the collection of taxes there, the King issued writs from Portsmouth, on the 26th July, A.D. 1294, to seize, for the King's use, all the wool and tanned hides that were got ready for exportation, giving the owners tallies* for them. "This mode of proceeding, being The King adopts illegal means for raising money. A.D. 1294.

* A talley was a wooden rod or stick, split lengthwise into two portions, with notches of corresponding size and position on each portion. When a buyer and seller met together, notches, corresponding (according to an agreed system) to the sums of money paid, were cut across the stick, which was then split in two, and each person kept one half. In case of any dispute, the two halves were produced, and joined together, by which means it was easily ascertained whether or not the statements as to payment were correct.

Edward I. A.D. 1294.

very arbitrary and contrary to law, created the King much ill-will, and discontent among his subjects, to whom it was very grievous."

At the same time, he issued other writs, summoning a Parliament to meet on the 12th November, to furnish an aid for carrying on the war. But, to the great dissatisfaction of the clergy, he also seized vast sums of money, that were hoarded up in monasteries and cathedrals for ecclesiastical uses. Edward's foreign relations became further complicated by a quarrel with the King of Castile. The vessels of the Cinque Ports, which were always prowling about for mischief, seized 280 Spanish ships, laden with merchandise for France, in consequence of which, the King of Castile declared war against Edward.

Quarrel with the King of Castile.

Edward remained at Portsmouth with his army, ready to embark for France, from Midsummer to the beginning of September, being delayed by contrary winds.[24] At length he became weary of waiting, and appointed commanders to go in his stead. His fleet set sail, about Michaelmas, A.D. 1294, but part was driven back by storms, and consequently the forces which were landed in Gascony did not meet with much success.

Disturbances in Wales.

King Edward, having thus provided for the war with France, turned his attention to the disturbances, which had broken out in Wales, and ordered the forces, under Earl Edmund and others, which were on their way to Gascony, to march into North Wales instead. On the 11th November, they were driven back from Denbigh. Edward himself marched into South Wales, about the end of November, where he met with better success, and then marched into North Wales. He crossed the river Conway, with a small part of his

army, and took up his quarters in Conway Castle, where he was besieged by the Welsh, and reduced to great straits; but on the arrival of the rest of his army, the Welsh were put to flight, and the King kept his Christmas in Conway Castle. The following year, the war was carried on with great vigour, and Wales was again reduced to subjection. The King built a castle at Beaumaris, in Angles-ey, garrisoned the sea-coasts of the mainland, cut down the woods, and thus completely broke the power of the Welsh, who caused no further trouble for many years.

Edward I. A.D. 1294. A.D. 1295. Welsh entirely subdued.

Wars with Scotland.

We must now return to Scotland. Edward having quelled the Welsh disturbances, turned his attention to the war with France, and sent to Baliol, the King of Scotland, as his vassal, to demand from him the assistance, to which, as his Lord Paramount, he was entitled. He suspected his fidelity; and indeed, he had received information, that Baliol had entered into a treaty with France, by which it was agreed, that his son should marry the niece of the King of France, and that they should help each other in making war on Edward. Baliol refused the assistance which the King of England had demanded, and prepared for war. He banished the English out of Scotland, and seized their estates.

Wars with Scotland.

Edward now prepared to invade Scotland, and compel the submission of his vassal. At Newcastle the war broke out, without immediate intention on either side. Robert de Ros, an English nobleman, Lord of the Castle of Weark, was in love with a Scotch lady, and revolted to the Scots, leaving his

Edward I. A.D. 1295.

brother in possession of the castle. His brother remained faithful to Edward, and, in expectation of an attack from the Scots, sent to Edward for assistance. The King sent him 1000 men, but, on their way, they were surprised at night by the Scots and defeated. Thus began the war between England and Scotland, and Edward expressed his great satisfaction that it was begun by the Scots.

A.D. 1296. Edward takes Berwick-on-Tweed, and massacres its inhabitants.

Edward at once marched on towards Scotland, and laid siege to Berwick-on-Tweed, which he took by storm, and committed a massacre on the inhabitants. The numbers slain vary, according to different historians, from 7000 to 17,000, and one, Matthew of Westminster, goes so far as 60,000; but all accounts must have been greatly exaggerated. That this slaughter deserved the name of a massacre cannot be disputed; partisan writers attempt to excuse it on the ground of the ferocity of the Scots, and by comparing it with the slaughter which has taken place in many modern sieges. But the fact still remains, that a large number of the inhabitants of Berwick were massacred, and Edward's name must be thereby deeply stained.

Baliol renounces his allegiance.

Baliol now formally renounced his allegiance to Edward; and, after the victory at Berwick, Edward advanced steadily into Scotland.

The castle at Dunbar was, at this time, one of the strongest, and by its situation one of the most important, in Scotland.[17] Its lord, Patrick, Earl of Dunbar, served in Edward's army; but his wife, the Countess, who held the castle, and hated the English, entered into a secret plot with some of the Scottish leaders, and delivered the castle up to them. As soon as Edward heard of this, he sent the Earl of

Surrey, with a large force, to recover the castle. The Scots, anxious to keep so important a place, led on their whole army, and took up a strong position on the high ground above Dunbar. On the appearance of the Scotch army, Surrey advanced through a valley to attack it. The Scots, misled by a seeming confusion in the English ranks, rushed down from their strong position to attack them. The English received them in perfect order, and after a short resistance the Scots were routed. The next day Edward advanced with the rest of his army, and the castle was given up to him. The Castles of Roxburgh, Dumbarton, Jedburgh, Edinburgh and Stirling, one after another, yielded to Edward, and he reached Perth without any serious difficulty. While in that city, on the 7th and 10th July, Baliol twice surrendered unconditionally to Edward, and he and his son were sent prisoners to the Tower of London.

Edward I. A.D. 1296.

Defeat of the Scots at Dunbar.

Five castles surrender to Edward.

Baliol surrenders, and is sent prisoner to London.

Thus ended Edward's first war with Scotland. The whole of Scotland submitted, and the great stone at Scone Castle, on which the Scotch Kings had been crowned for centuries, and which was looked on by the nation as the very symbol of Scotch sovereignty, was carried away to London, where it has since remained as the foundation of the coronation chair of the Kings of England in Westminster Abbey.

End of first war with Scotland.

Edward now took wise measures for the improvement and settlement of his new dominions, of which he appointed John de Warrenne, Earl of Surrey and Sussex, Governor; Ormesby, Chief Justiciary; and Hugh de Cressingham, Treasurer.

Continuation of War with France, and English Affairs arising therefrom.

Edward I. A.D. 1296.

On the King's return to England, his first need was, to raise money for the war with France, which had not been carried on with any vigour during the war with Scotland, and had been further hindered by the death of Edmund, the King's brother, at Bayonne.

Nov. 3. The King tries to raise money for the war with France. The clergy refuse an aid.

A Parliament was held at Bury St. Edmunds, on Nov. 3rd, A.D. 1296, to consider the King's demand for supplies. The laity granted an aid, but the clergy refused, alleging that they were forbidden by the Pope, to grant any assistance to the King, without his leave. The King therefore prorogued the Parliament till the following January; but, in the meantime, in order to frighten the clergy into compliance, he caused all their barns, granaries, and storehouses to be shut up and secured.

A.D. 1297.

Parliament met, as was arranged, on January 14th, A. D. 1297, but the clergy were not disposed to yield, and the laity, encouraged by the resistance of the clergy, also refused to grant an aid. The burthen of carrying on these wars, had become very heavy.

The laity join in the refusal.

The clergy waver.

The clergy, however, got frightened at the probable consequences of their refusal, and held a meeting, at which they agreed to ask the Pope's leave to grant an aid to the King. This resolution was communicated to the King, who, naturally, became only so much the more enraged against them, and ordered them to be put out of his protection. The meaning of this was, that they were deprived of the protection of the law. No counsellor, or pleader, was allowed to plead for them before any temporal judge. It was made known, in court, by the Chief Justice of the

Common Pleas, "that, for the future, no justice should be done to the clergy, in the King's court, yet that, nevertheless, justice should be done to all persons making complaints against them." This soon produced a division among the clergy, many of whom quickly submitted to the King. Those who still refused, were left to be injured and abused by any one that met them. Oftentimes, their horses were taken from them on the King's highway. Even the Archbishop of Canterbury himself, while on his way to court, to make complaint of these hardships, had his horses seized by the King's officers at Maidstone, and he was forced to borrow horses for the rest of his journey. His efforts to persuade the King to be more merciful were all to no purpose, for the King looked on him as the very ringleader of the obstinate clergy, and consequently treated him with such severity, that he was obliged to lodge and board with a parish priest of his diocese. Edward I. A.D. 1297.

There can be no doubt that these proceedings of the King were arbitrary and illegal, for the Parliament, by whose authority alone the money could be raised, had refused to grant it. But the struggle between the Crown and the Church was of good effect, as it checked the Pope's interference in the temporal concerns of the kingdom. The King's proceedings arbitrary, but their effects good.

Notwithstanding his difficulties in raising money, the King still determined to carry on the war with France. With this view, he entered into an alliance with the Earl of Flanders, the condition of which was, that they should both make war with France, and that neither should make peace without the consent of the other. But the King could not get on without money, and, to raise it, he was obliged to continue The King still perseveres in the war with France,

Edward I. A.D. 1297. and continues his illegal means of raising money.

his illegal courses. He ordered all, who had any wool or leather by them, to carry it to certain sea-ports, where he promised to buy it of them. But as soon as the King got possession of it, instead of money, he gave tallies for it, "to be paid when the King was able." He also greatly increased the duty on the export of wool. His army wanted provisions, but he had no money to buy them, so he exacted 2000 qrs. of wheat and oats, and large quantities of salted meat, from each county, without payment. He then summoned a council of his military tenants, to meet him at Salisbury, to make arrangements for the invasion of Gascony; but as he had no intention of going in person, the barons refused to go.

Quarrel between the King and the barons.

A great quarrel now arose between the King and the barons. The Earl of Norfolk, Marshal, and the Earl of Hereford, Constable, of England, excused themselves from going, saying, that their offices obliged them, by their tenure, only to attend the King when he went abroad in person. "I am ready," said the Marshal, "to attend your person in the front of the army, as I am bound by hereditary right." "But you shall go with others, and that without me," replied the King. "I am not obliged, neither will I go without you," answered the Marshal. "Sir Earl," said the King, in a violent rage, "you shall either go or hang." "Sir King, I will neither go nor hang," replied the Marshal, and so he departed from the King's presence.

This council, however, agreed on one point, and that was, to compel the clergy to submit to the King.

When the council broke up, and the two Earls returned to their counties, they gathered together a

body of 1500 horse, to resist the King, and they would not allow the King's officers to take any wool, leather, or provisions. They also resolved to hold a separate Parliament, in the Forest of Wyre,[7a] on the borders of Wales, to consider how they might best resist the King's extortions. The clergy too, under the guidance of the Archbishop of Canterbury, met together for the same purpose. But they could not agree, and, at length, the Archbishop broke up the meeting, saying, "Let every man save his own soul." Edward I. A.D. 1297.

Still the King persevered. He issued writs from Portsmouth, on the 24th May, ordering a great force to assemble at Winchelsea; and, in order to prevent the repetition of the barons' excuses, he, this time, ordered them to meet him, to go with him to Flanders. But the dissatisfaction caused by his arbitrary proceedings had not died away, and the summons was disregarded. May 24. The barons refuse to meet the King at Portsmouth.

Troubles in Scotland now began again, but the King, rather than give up his war with France, left Scotland in the hands of the Earl of Surrey, whom he had appointed Governor of that kingdom. Again the King summoned his barons to meet him at Winchelsea, and, not doubting he should succeed in raising forces to go with him, he made arrangements for the government of England, by his son, during his absence, and made an effort at reconciliation with the clergy. A meeting took place in Westminster Hall, at the beginning of July, when the King asked pardon of the people there assembled, excusing his conduct by saying that, as for "that part of their estates which they had either given him, or his ministers had extorted from them, it was taken for the good of the country, and that they might enjoy Troubles in Scotland, but the King again summons the barons to invade France.

Edward I. A.D. 1297.

the remainder more quietly." The Archbishop burst into tears; and the people vowed fidelity to the King and to his son, during his absence. But, adds an old chronicler, "Some prayed for him, whilst others cursed him in their hearts;" they doubted his sincerity. The clergy still resisted.

The King reconciled with the clergy.

Earls of Norfolk and Suffolk refuse to go to France till grievances are redressed.

The King's army met him at Winchelsea, but the Earls of Norfolk and Suffolk still refused to go with him, unless he would first redress the grievances of the kingdom. These were set forth in a remonstrance, complaining of excessive taxes, and of the non-observance of the Magna Charta and the Charter of Forests. The King was too intent on his French expedition to allow the dissatisfaction of these two Earls, and their supporters, to cause further delay. So he put forward an attempt at justification, made fair promises, and set sail for Flanders. No sooner was he gone, than the discontented earls and barons forbade the levying of any taxes.

The King sails for Flanders.

The Scotch resist the Dominion of the English.

While these preparations for war with France were going on, great events were happening in Scotland.

Disturbances in Scotland.

Although the submission of Baliol deprived the Scotch of a leader, and the jealousies among the nobles and competitors for the throne prevented any united action against the English, yet the hatred felt by the Scotch for their English rulers, fomented by the unwise severity of Edward's officers, was continually breaking out. Throughout the whole country, numerous bands of armed peasants infested the highways, plundering the English, and laying waste their lands.[18]

Their numbers gradually increased, and they besieged the castles held by the English. At length, when the country was left to its fate by the greater nobles, there arose, from among the lesser barons, a man who long struggled successfully against the English dominion, and who, had he not been thwarted by the quarrels among his own countrymen, would doubtless have driven the English out of Scotland. This was William Wallace of Elderslie. In those days, bodily strength and courage were of the greatest importance, and Wallace had an iron frame, and a stature which was almost gigantic. A quarrel with some English officers drove him to revolt; he was insulted, in the town of Lanark, and would have been killed in the streets, had he not been sheltered in the house of his sweetheart, until he was able to escape to the neighbouring woods. Here, by degrees, he collected together those who had refused submission to Edward, and they chose him for their chief. He, and his brave little band, began by attacking straggling parties of the English, and in these attacks he was generally successful. The paths across the mountains, and the ways from one part of the country to another, thus became well known to him; and the knowledge thus acquired, was of great use to him in his contests with the English troops. His countrymen began to trust him more and more, and he was soon at the head of a large body of Scottish exiles. Sir William Douglas was the first noble who came with his vassals to Wallace's support; with their united forces they gained greater successes, and by degrees some of the most powerful of the Scottish nobles were not ashamed to fight under the banners of Wallace.

Edward I. A.D. 1297.

Scotch hatred of the English.

The nobles keep aloof,

but Wallace heads the revolt.

The patriots at first a small band;

they increase,

and are joined by Douglas.

But, among the Scottish nobles who did not thus

Edward I. A.D. 1297.

come forward, was one, whose help would have been of the greatest service; one, who afterwards became great, when Wallace—forgotten, neglected, by the country he had served so well—had died a cruel death; one, finally, who was bound by every tie, to fight, to die, in defence of his country. This was Robert Bruce, Earl of Carrick,* grandson of that Bruce who had competed for the Crown. This was Robert Bruce who, but nine years later, became King of Scotland. But, now, he hesitated;—nay more, he fought against his country, and on Edward's side. To prove his fidelity to the English, he ravaged the estates of Douglas, the friend of Wallace, and, seizing his wife and children, carried them off to his own estates. Then, suddenly, he turned round on the other side, and joined with Wallace.[23a] But, after a few months he made his peace with Edward, and although he never heartily sided with the King of England, yet he never again made friends with Wallace.

Bruce, who should have joined them, wavers;

joins the English.

Edward meanwhile on his way to France.

These events were happening when Edward was on his way to Flanders, and he had not left England a month, before the English army in Scotland suffered a severe defeat. Wallace had been defeated in the South of Scotland, and was, in consequence, deserted by all the Scotch nobles but one, Sir Andrew Moray of Bothwell. Still, however, he had a faithful band of followers, and retired towards the North. He had driven the English out of nearly all their strongholds on the north of the river Forth, and had begun the siege of Dundee, when he heard that they were advancing against him by the way of Stirling. Well knowing how important it would be to secure possession of the high ground, north of the Forth,

Wallace hastens to defend Stirling.

* See Genealogical Table, p. 341.

near Abbey Craig, before the English army had crossed the bridge, he marched south with great speed, and reached the heights before the arrival of the English. Stirling Castle is placed on the top of a high mount, which, on the north and west, descends abruptly, by rocky precipices, to the plain; on either side are mountainous ridges; in front stretches out a magnificent plain, through which runs the River Forth, in a winding course, rendering approach to the castle very difficult. Wallace therefore made his arrangements with the view of inducing the English to leave their strong position and give battle on the north side of the river. A narrow bridge was the only means of crossing the river, and it afforded only space enough for two abreast. Edward I. A.D. 1297.

Early in the morning of Friday, September 11th, a large body of English and Welsh passed over the bridge; but the Earl of Surrey, who, with Hugh Cressingham, the Treasurer, commanded the English forces, being asleep in his tent, the rest of the army had no orders to follow and support them, and they were therefore obliged to return. Surrey was advised by Sir Richard Lundin, a Scottish knight who had lately deserted to the English, not to cross the bridge, as he could show him a ford where sixty could cross abreast. Cressingham advised instant action, without delaying to reach the ford. Stung by his reproaches, Surrey unwisely gave way, and ordered his troops to cross the bridge. Cressingham himself, accompanied by Sir Marmaduke Twenge, led the van, and when half the army had crossed, he gave the cavalry orders to charge. In the meanwhile the Scotch had gained possession of the foot of the bridge, and prevented any more of the English army from crossing. Wallace then rushed forward to attack the English, who were Sept. 11. Battle of Stirling bridge.

Edward I. A.D. 1297.

advancing up the hill, and threw them into confusion. The victory of the Scotch was soon complete. The English were defeated with great slaughter. Cressingham was killed, and Surrey fled to England.

English totally defeated.

Important consequences of the Scotch victory.

The consequences of this victory were most important; castle after castle surrendered to Wallace, and in a short time not a fortress or castle in Scotland remained in Edward's hands. Prince Edward, who was left guardian of England during his father's absence, had become seriously alarmed at the success of Wallace, and on the 9th September, two days before the defeat at Stirling, he had issued writs, summoning a Parliament to meet him in London at the end of the month, to consider the state of the kingdom.

Prince Edward summons a Parliament.

Some of the barons refuse to attend without redress of grievances.

The Prince promises redress.

The Earls of Hereford and Norfolk, with the other discontented barons, held a council at Northampton, before the day appointed for the meeting of Parliament. They were unwilling to appear, unless some securities were given for the redress of grievances. The Prince promised that the Charters should be confirmed, and a full pardon granted to all who had opposed the King. These barons therefore attended the Parliament; but, doubtful of their safety, unless they secured it for themselves, they came, attended by 500 horse and a chosen body of foot soldiers, and would not enter the city, until they had leave to place their own guards at all the gates. At this Parliament it was agreed, that the confirmation of the Charters, and the pardon of the barons, should be sent to the King in Flanders for his seal. The King delayed his assent for three days, but at last, on the 5th November, he yielded, and peace was thus restored within the kingdom.

A few weeks previously, the King, being weary of

the war with France, and uneasy at the state of Scotland, had signed a truce for two years with the King of France, but he still delayed his return to England for above four months. After confirming the Charters, Edward issued writs, summoning the nobility of England to assemble at York in the beginning of January, to prepare for another invasion of Scotland, under the command of the Earl of Surrey. Edward I. A.D. 1297.

At this council, the King's confirmation was read, and it was then agreed that within eight days there should be a general muster of the army at Newcastle-on-Tyne. When the forces were assembled, they marched forth into Scotland, the Scotch retiring at their approach. Roxburgh and Berwick fell before the English, when messengers came from the King, desiring that no further advance should be made until his own arrival, as he had resolved to command the army in person. On the 21st of March he landed at Sandwich, and about a fortnight afterwards he issued writs, summoning a Parliament to meet him at York at Whitsuntide. On the meeting of Parliament, the Constable and the Marshal declared they would go no further with the King unless he, personally, confirmed the Charters. As, however, it was important that no time should be lost in invading Scotland, and their confirmation would have caused some delay, the Bishop of Durham, and the Earls of Surrey, Warwick, and Gloucester, promised solemnly, on the King's behalf, that, on his return from Scotland, if he gained the victory, he would confirm them. The Earls thereupon consented to go with the King. Edward then marched forward at the head of 3000 men-at-arms, or horsemen, armed *cap-à-pied*, that is

A.D. 1298.

Second invasion of Scotland.

King Edward arrives in England, March 21.

Parliament in York.

Edward advances at the head of his army.

Edward I. A.D. 1298.

from head to foot; 4000 light-armed horsemen, and 80,000 foot, most of whom were Welsh or Irish.

Wallace's proceedings before the King's arrival.

After the decisive battle of Stirling bridge, and before Edward had prepared to return to England, Wallace had proceeded southward, and ravaged Northumberland and Cumberland, carrying off immense booty. The cruelties he committed were dreadful, and deprive him of the claim to be considered the noble hero he is often represented to be. But, it must be remembered that the manners of those times were savage, and that even Edward himself cannot be acquitted of cruelty in the wholesale massacre of Berwick. A great man, a true hero, is better than his times; but this praise cannot be given to Wallace. Wallace next entered Durham, but his march was stopped by the severity of the winter. On their way, the Scotch had plundered a rich monastery at Hexham, and passing through the same place, on their return, they saw three monks, still lingering in the solitary monastery, who thinking that the tide of war had passed away, had crept back to repair the ravages it had left. The monks fled into the chapel, pursued by the savage Scottish soldiers, who fancied they had returned to guard, or carry off, some hidden treasures. The soldiers bade the monks say where the treasures were to be found. "Alas!" said one of the monks," it is but a short time since you yourselves have seized the whole of our property, and you best know where it now is." At this moment Wallace entered, and commanding his soldiers to be silent, requested one of the monks to celebrate mass. The monk obeyed; and Wallace, all armed as he was, and surrounded by his soldiers, reverently attended. When the host was about to be elevated, he stepped out of

the chapel to cast off his helmet, and lay aside his arms. But during this short absence, the fury of his soldiers broke out, and on his return he found the monk in terror and dismay. He took him under his protection, but dared not to punish the offenders.[19] Shortly after this the Scots marched homeward with their booty. Edward I. A.D. 1298.

Soon after his return from this expedition, Wallace was elected Governor of Scotland, at an assembly, "attended by the Earl of Lennox, William Douglas and others of the principal nobility, and with consent of the community of Scotland."[20] He adopted wise measures for the government of the kingdom, and, "in a short time, such were the effects of his firm and courageous management, that the most powerful of the nobility were compelled, by the fears of imprisonment, to submit to his authority, although they envied him, and whenever there was an opportunity, took part with the King of England." But although few of the earls had joined him, the "lesser barons and gentry repaired in great numbers to the banners of the Governor, and willingly supported him with all their forces."[21] Wallace elected Governor of Scotland, and governs wisely.

Still, the jealousy of the nobles crippled him greatly, and he was unable to muster a force powerful enough to meet the English in the open field. He prepared therefore to resist Edward by stratagem rather than by force. He resolved to avoid any general engagement, and retreated before the English, laying waste the country on his way. Edward's army therefore suffered much from want of provisions. The country through which he advanced was desolate, and he could find no enemy to fight with. Jealousy of the Scotch nobles.

At length the treachery of two Scottish nobles Treachery of Scotch nobles.

Edward I. A.D. 1298.

gave him an opportunity of meeting with a foe. When the King was at Kirkliston, a small town between Edinburgh and Linlithgow, the Earls of Dunbar and Angus informed him that Wallace, with his army, was encamped in the Forest of Falkirk, and that he intended to attack the English at night.

Battle of Falkirk.

Without a moment's delay, Edward ordered the soldiers to arm, and to hold themselves in readiness to march. The King was the first to put on his armour, and, mounting his horse, he hurried forward the preparations of his soldiers. In the afternoon they set out, and it was late before they reached a heath near Linlithgow, on which they encamped for the night. To use the words of an old chronicler, "Each soldier slept on the ground, using his shield for his pillow; each horseman had his horse beside him, and the horses themselves tasted nothing but cold iron, champing their bridles."[22] The King shared the lot of the commonest soldier, and had a narrow escape from severe injury, his horse treading on him while he slept. Before sunrise, they were again under march, and it was not long before the Scots were discovered, drawn up in order of battle. The English vastly outnumbered them. The Scots fought bravely, but, no sooner had the battle begun, than they were deserted by their cavalry, consisting of about 1000 heavy-armed soldiers. They were commanded by Scotch nobles, jealous of Wallace. The English therefore gained a complete victory, and Wallace was obliged to retreat to the neighbouring woods, leaving, it is said, 15,000 men dead on the field.

Lost by the treachery of the Scotch nobles.

Great defeat of the Scotch on July 22nd.

Wallace still continued the tactics he had practised so successfully before the disastrous defeat at Falkirk. He laid waste the country, burning cities and castles,

Wallace retreats, laying waste the country

which might give food and shelter to the English army. Edward pursued him to Stirling, but found the town a heap of ruins. Distressed for provisions, the English advanced to Perth, and found it in ashes. At length, these desperate measures of defence compelled Edward to retreat to England, leaving Scotland ready to rise again the moment he had quitted it.

Edward I. A.D. 1298.

Edward consequently obliged to return to England.

Soon after the defeat at Falkirk, Wallace resigned the office of Governor of Scotland. It is difficult to assign a sufficient reason for his doing so. He had resisted the mighty force, brought against him by the King of England, with great success, and, by his skilful tactics, he had even prevented Edward from reaping any benefits from his overthrow of the Scots at Falkirk. It can only be that the jealousy of the Scottish nobles wearied him and worried him, and took away from him any hope of saving his country. He fell a victim to their want of patriotism. The two great factions of the Comyns and the Bruces forgot, for the moment, their own quarrels, and united to put down Wallace. They had never been friends since the Scottish Parliament took away the lordship of Annandale from Bruce and gave it to John Comyn, Earl of Buchan, because of Bruce's leaning to England; and the rivalry between John Comyn, Earl of Badenoch, called the Black Comyn, and Bruce for the throne of Scotland had increased their antagonism. But yet they united against Wallace. In Wallace's stead, four Governors of Scotland were appointed, and two of them were Comyn and Bruce.

Wallace resigns the office of Governor.

He is a victim of the jealousy of the nobles.

Four Governors in his stead.

Edward kept his Christmas in Yorkshire, and early in the following year he returned to London. A Parliament was held soon after Easter, when the King

A.D. 1299. Edward returns to London.

Edward I. A.D. 1299.

was called on to redeem his promise of confirming the Charters. He was very unwilling to confirm the Charter of the Forests, and to grant a new perambulation of them. The object of this perambulation or survey, was, to settle which should be kept up, and which destroyed. These forests must have been grievous burdens to the nation and sources of great profit or pleasure to the King. Otherwise they could not have been the cause of such violent opposition on the one side, and obstinate resistance on the other. The King was obliged to yield; he at last confirmed the Charters, but still managed to evade the survey of the forests.

Confirmation of Charter of Forests is demanded.

The King yields, but evades performance.

Peace with France,

Peace was now concluded between England and France, and Edward took, for his second wife, Margaret, the sister of the King of France. They were married at Canterbury in the autumn.

One of the conditions of peace, required by the King of France, was the release of Baliol, who had, when King of Scotland, entered into an alliance with France. Edward refused; but, at length, at the earnest request of the Pope, he yielded. Baliol was set free, and passed the rest of his life quietly in France.

Baliol released.

Edward still persevered in his designs on Scotland, and prepared for his third invasion of that country. Late in the year, he marched with his army to Berwick-on-Tweed, where he had appointed the barons to meet him, with their whole military strength. So intent was he on gathering together the bravest knights, and best soldiers, to go with him, that, by public proclamation, he forbade all tournaments, and plays of arms so long as the war lasted. The barons met the King at Berwick; but, so deeply dissatisfied were they, at the King's faithless evasion of

Third invasion of Scotland.

The army assembles at Berwick.

the Forest Charters, that they refused to go any further, making the lateness of the season their excuse. They cared but little for the conquest of Scotland; the Scots were willing to make peace, but Edward wanted, not peace, but conquest. In consequence of the barons' opposition, he was unable to proceed with the invasion; and, early in the following year, he was obliged to return to England.

Edward I. A.D. 1299.

The barons dissatisfied.

Edward returns to England. A.D. 1300.

The barons persevered, and, in the spring, the King was compelled solemnly to ratify the Charters, and to allow sentence of excommunication to be passed against any who should infringe them. By and bye, he managed to slip through this noose, but, for the present, all was settled amicably, the barons and nobles were satisfied, and the King therefore summoned them and his military tenants to meet him at York on Midsummer-day. At this meeting a fourth expedition into Scotland was agreed on, and he again invaded that country.

The King solemnly ratifies the Charters.

The fourth invasion of Scotland.

Edward obtained considerable advantages over the Scots, but was again obliged to return to England by want of provisions, and complaints of the barons.

After some success Edward again returns to England.

A truce between England and Scotland was brought about, before his departure, by the interference of the Pope, who had been persuaded by ambassadors from Scotland to take part with the Scots. The Pope sent over a Nuncio, as his ambassador was called, with a letter to the King of England, claiming for himself the sovereignty of the kingdom of Scotland, ordering him to dismiss all those whom he had appointed as Governors, and summoning him to show his right to the kingdom, if he supposed he had such right. The King answered, that he must consult the great men of his kingdom, and on his arrival in

Truce between England and Scotland.

The Pope claims sovereignty over Scotland.

Edward I. A.D. 1300. England, he summoned a Parliament to meet him at Lincoln, in the following January, to deliberate on the matter.

A.D. 1301. Parliament assembles to consider the Pope's claims. At the meeting of this Parliament, before the Pope's insolent claims were considered, it was necessary for the King to answer the complaints of his people. The King's Secretary, Roger Brabazon, therefore, opened the proceedings by saying, that whatever the King had done in these late wars had been done by their consent; that they had thus put him to great expense, and that he consequently desired a grant of a fifteenth. At this there was great murmuring, partly on account of the King's frequent demands of money, but mainly because the question as to the forests was still unsettled.

Dissatisfaction of the barons.

The King agrees to settle the Forest question. After some days' hesitation, the King was obliged to yield. A list of the forests was presented to Parliament, and the King confirmed the perambulations from which the lists were made; agreeing, that whatever, by these last perambulations, was disforested should remain so, and what was then allowed to be forest, should be so for ever.[1] It was also agreed that twenty-four knights should be chosen, to distinguish the ancient from the new forests, and that those which were found to be made forests since the first coronation of Henry the Third, should forthwith be disforested. The King then caused the sentence of excommunication to be again pronounced "against all violators of the said great Charters, which he himself, by means of evil counsellors, had too much violated before."[8] The Great Charters also were confirmed, and ordered to be sent down and proclaimed in all the counties of England. The nobles and commons then granted one-fifteenth of all movables, but

Great Charters confirmed.

the clergy still refused to give anything without the Pope's leave. Edward I. A.D. 1301.

The King then laid before the assembly the Pope's letter claiming the sovereignty over Scotland, to which, it was agreed, an answer should be sent, utterly repudiating the Pope's claims, and expressing, in the strongest terms, their determination to protect the rights of the English Crown, even if the King himself should be inclined to give them up. Parliament repudiates the Pope's claims.

The truce with Scotland ended at Whitsuntide, when the King prepared for a fifth expedition into Scotland. He created his eldest son, Prince of Wales and Earl of Chester, as the King's eldest sons have remained to this day, and he gave him the command of one part of the army, reserving the other to himself. Whitsuntide. Fifth invasion of Scotland.

No great results followed this expedition. The Scots pursued Wallace's tactics, avoiding general engagements. The King, therefore, knowing that he had always lost, during his absence in winter, what he had gained in summer, determined to winter in Scotland. While there, he received letters from his brother-in-law, the King of France, asking him to grant the Scots another truce, till the beginning of November. To this, he thought proper to agree, and returned to England. At Stamford, in Lincolnshire, he held a council, at which the complaints against the King for not observing the perambulations of the forests were again renewed, and again he promised to observe his promises. Edward's obstinacy in evading the destruction of the new forests is very remarkable, and quite contrary to the general uprightness of his character. The Scots avoid a general engagement. Edward winters in Scotland. Truce agreed on, and Edward returns to England. Renewed complaints about the forests. The King again makes promises.

The following year, the King of France offered to convert his truce with Edward into a permanent

Edward I. A.D. 1302.

peace. He had been defeated by the Flemings at Cambray on July 11, A.D. 1302, and was therefore anxious to be relieved of a chance of war with England. He proposed, at first, that his old allies the Scots should be included in the treaty of peace, but, on Edward's refusal, he gave up this point, and peace was concluded between the two nations. Gascony was restored to England.

Scots resume the war when truce expires.

When the truce between Scotland and England was at an end, the Scots at once took to arms, and gained a great victory over John de Segrave, whom Edward had appointed Governor of Scotland. This happened while Edward was settling the treaty of peace with France, but, as soon as he heard of it, he prepared for a sixth expedition to Scotland, which he determined to invade in person. He separated his army into two divisions; and gave the command of one to the Prince of Wales, who marched to the West of Scotland, while the King himself marched northwards. He reached Edinburgh without challenge or interruption. The whole course of the King, as well as that of the Prince, was marked by smoke and devastation, by the plunder of towns and villages, the robbery of granges and garners, the flames of woods, and the destruction of the small tracts of cultivated ground which yet remained. Wherever he turned his arms, the inhabitants submitted to a power which it was impossible for them to resist; and the Governor Comyn, Sir Simon Fraser, and Wallace, were driven into the wilds and fastnesses, where they still continued the war by irregular predatory expeditions against the convoys of the English. Comyn, the Governor appointed by the Scotch nobles, and Wallace, whom the nobles had deposed, still kept up a resistance; but it

Sixth invasion of Scotland.

The Scotch entirely submit.

was all in vain. In February, A.D. 1304, Scotland submitted, the only condition which the Governor made, being, that the lives, liberties, and lands of himself and his followers should be saved. Edward I. A.D. 1304. February.

From this condition, those only were excepted who had been the most formidable to the English. Among these, to the eternal disgrace of Edward, was William Wallace, who was summoned to surrender unconditionally. Wallace well knew what was meant by an unconditional surrender, and concealed himself in the woods and mountains. At length, finding himself surrounded by his enemies, he tried to make conditions with the King. Edward, in whose breast mercy seems now to have found no home, broke out into an ungovernable rage, cursing him as a traitor (which he never was), and setting a reward of 300 marks on his head. Wallace of course again fled to the wilds. Wallace excepted from general amnesty. Escapes to the woods and mountains.

All the fortresses in Scotland had now opened their gates to the conqueror, except Stirling, which with a small but brave garrison resisted Edward for three months. In vain were thirteen warlike engines brought to bear on the fortifications: Stirling still resists the English,

> "Thirteen great engines, of all the realm the best
> Brought they to Stirling the castle down to cast;" [23]

in vain were huge leaden balls, great stones, and javelins, cast forth by these engines; in vain did Edward ride beneath the walls to watch and to direct, exposed to danger, and twice struck by the stones and javelins of the defenders. For a month, the siege lasted without hurt to the castle. At length, Edward sent to York, to Lincoln, to London itself, for all the engines, bows and arrows, and other weapons which they could possibly gather together. A new and

Edward I. A.D. 1304.

terrible implement of destruction called the Greek fire, the use of which Edward had probably learned in the East, was added to his weapons of attack. New and larger engines were constructed, and at length the garrison were obliged to give in; when it was found that the brave men who for three months had resisted the might of the King of England, were not more than 140 in number. The leaders, stript to their shirts, their hands and feet bare, with ropes round their necks, sued for mercy. Edward was too angry at their long resistance to be generous, or even merciful, and he sentenced them all to be imprisoned.

but is taken at length.

Edward's cruelty to the garrison.

There now remained only one man, who still defied the power of Edward, who still eluded his vengeance. This was Wallace. Soon he too came within the conqueror's grasp; betrayed by his fickle, faithless, jealous countrymen.* He was tried for treason and condemned to suffer death, by a cruel and ignominious process; which was put in execution on August 23rd, A.D. 1305. It is sad that a monarch, who, for nearly his whole life, kept and deserved a character for wisdom and for justice, should thus, at its close, wipe out, with a bloody hand, the almost unqualified praise which would otherwise have been his due. Wallace was not guilty of treason; for although Edward claimed to be King of Scotland, he was never recognised as such by the Scottish nobles. Edward was master of Scotland, and might have made himself its King; but his right was only that of conquest, and the right of resistance remained to the

Wallace at last betrayed by his countrymen, August 23rd, A.D. 1305, and condemned to death, to the eternal disgrace of Edward.

* Sir John Menteith is said to have been the betrayer: —

"John of Menteith, in his dayis,
Dissavit good Willame Walays."

Andrew Wyntown's "Orygynall Chronykill of Scotland."

conquered, so long as there was any hope of success. Wallace, it is true, was guilty of savage cruelty, and his brutality to those whom he overcame, on many occasions, cannot, I fear, be doubted. But the acts of Edward himself might have made him look at the deeds of Wallace with less severity; he was powerful, and might have pardoned. Vain, however, was this savage punishment; the mangled remains of the dead hero appealed to his countrymen more eloquently than his persevering courage when alive, and within six months of the death of Wallace, Scotland was once more free. Edward I. A.D. 1305. Wallace's death useless as a means of repressing the Scotch.

Edward returned to England in the autumn after the capture of Stirling, and kept his Christmas at Lincoln with great joy and magnificence. His victory over the Scots, it may well be supposed, was the subject of much rejoicing. For fifteen years had Edward been at war with Scotland, and at length he was its master. Edward returns to England.

England had suffered much, from the absence of the King, and from the constant state of war in which the country had been kept. On his return, Edward found "that justice was administered with great negligence and partiality; that the magistrates were bribed, and the rich screened from the law, while the poor were exposed to the oppression and tyranny of the great." To remedy these evils, the King issued a special commission, called a Commission of Trayle-baston, to inquire into them, and to take means for the restoration of justice. The origin of the name, given to the Commission, is difficult to determine: some suppose it to be derived from two French words, meaning to draw the staff, because a staff of justice was given to the Commissioners; Edward directs his attention to reformation of abuses in England. Trayle-baston.

Edward I. A.D. 1305.

others derive it from an instrument used in those days by shoemakers, which was called a Trayle-baston,[7b] and with which they used to beat their apprentices and thus punish them summarily for their faults, and that the Commission was thus called, on account of the speedy justice it was enjoined to administer. In his determination to administer justice, without respect of persons, Edward did not spare his own son. The Prince, misled by one of his favourites, one Piers Gaveston, whose evil advice was the source of much mischief when the Prince became King, had broken into the park of the Bishop of Lichfield and Coventry at Chester, and killed his deer. For this offence the King ordered him to be imprisoned.

Piers Gaveston.

The King's love of justice, however, did not prevent his again trying to shake himself free from his promises about the forests. A new Pope, Clement the Fifth, having succeeded to the Papal chair, Edward did not hesitate to avail himself of the opportunity, to obtain absolution from his oath relative to them. This caused great dissatisfaction, which the King attempted to quell, by issuing writs to prevent, for the future, the oppressions of which the officers of the forests had been guilty. But he did not order the destruction of the new forests, as he had often promised.

Edward gets absolution from his oath as to the forests.

On reaching London, Edward made plans for the government of his new kingdom, but early in the following year Scotland was again in arms.

Scotland again revolts with Bruce as leader.

The leader of the present insurrection was Robert Bruce, grandson of the Bruce who was one of the competitors for the throne. He had, as I have before stated, been a wavering defender of his country, sometimes submitting to Edward, and sometimes fighting for his country's freedom. But still he was

Edward I. A.D. 1305.

Quarrel between Bruce and Comyn.

of a noble generous nature, brave as a lion, patient and enduring, and beloved by all who came in contact with him. A quarrel, long smouldering, but at length fiercely burning, with one who, after Baliol's resignation, considered he had a rightful claim to the Scottish throne, decided his course. John Comyn, commonly called the Red Comyn, was Baliol's nephew (his father, the Black Comyn, having married Marjory, Baliol's sister), and had therefore a better claim to the throne than Bruce; and whilst Bruce had been constantly wavering between ambition on one side and efforts to retain Edward's good will on the other, Comyn had struggled till the last for the liberty of his country.[23b] After the fatal battle of Stirling, Bruce went to Edward's court in London, but at the same time, he entered into a secret league with the Bishop of St. Andrews, the object of which was the restoration of the freedom of Scotland, and his own possession of the Crown. This league became known to Comyn, who was not slow to avail himself of so good an opportunity of destroying his rival. He betrayed the plot to Edward; but the King, wishing to unravel the whole conspiracy, delayed accusing Bruce, until he was certain as to all the circumstances. In the meantime Bruce received warning that he was betrayed, and so, without a moment's delay, he took horse, and, accompanied by a few friends, fled to Scotland. On the borders he met a messenger hastening to England. His looks were suspicious, and Bruce ordered him to be searched. Letters from Comyn to the King were found upon him, informing him of Bruce's plans. Bruce hastened on to his Castle of Lochmaben, which he reached on the fifth day after his sudden flight,

Edward I. A.D. 1305.

having thus ridden on horseback (the only mode of travelling in those days) about 400 miles in five days.

Bruce murders Comyn.

Bruce and Comyn met at Dumfries, where they both had to attend a court of the English justiciars. Bruce, burning with anger, requested Comyn to meet him in the convent of the Minorite Friars, and Comyn, ignorant that Bruce had discovered his treachery, agreed. High words soon began, and Bruce charged Comyn with treachery. "You lie," said Comyn, when Bruce drew forth his dagger and stabbed him. Covered with the blood of his rival, he rushed into the street, shouting "To horse!" Two of his followers, Lindsay and Kirkpatrick, asked Bruce what had happened. "I doubt," said Bruce, "I have slain the Comyn." "Do you doubt?" said Kirkpatrick fiercely, "I'll make sure," and, rushing in, he finished the bloody deed. The English justiciars, who were holding their court in a hall in the castle, thought their lives were in danger, and barricaded the door; but the building was set on fire and the judges surrendered.

A.D. 1306. (Thursday, Feb. 10.)

Bruce now determines to be King of Scotland.

There was now no course left to Bruce, but to proceed in his attempt to obtain the Crown. Edward was made aware of his intentions, and would pursue him to the death; he had committed a heavy crime, under circumstances of special enormity—he had murdered a man before the high altar. The die was cast, and he resolved to become a king or perish in the attempt. He gathered together a small band of friends, and among the first who joined him was Sir James Douglas, son of that Douglas who had been the friend of Wallace. He determined to be at once crowned King of Scotland, believing that the possession of the Crown would give him great power.

The ceremony took place at Scone on March 27th, and that he was able so quickly to secure possession of the Scottish throne, shows how ripe Scotland was for revolt from the English. After his coronation, he made a progress through Scotland, seizing many of the castles and towns of which the English had obtained possession.

Edward I. A.D. 1306. Bruce crowned on March 27, A.D. 1306.

Edward received the news of this formidable revolution in Scotch affairs at Winchester, whither he had gone after making a tour of pleasure through Dorset and Hampshire. Although now nearly sixty-five years of age, and hardly able from his corpulence to mount on horseback, or to lead his armies in person, he at once prepared for a seventh invasion of Scotland; but he was obliged to intrust its command to others.

This was the age of chivalry, and in order to give greater spirit to the intended expedition, he availed himself of its imposing ceremonies. He announced his intention of knighting his eldest son, and proclaimed that all the young esquires, who had a right to claim the honour of knighthood, should forthwith appear at Westminster to receive that honour with his son; after which they were all to take part in the expedition to Scotland. On the day appointed, 300 young men, the flower of England, crowded before the King's palace. The space being too small, it was arranged that the ceremony should take place in the Temple Gardens, where the apple trees were cut down to give sufficient room. There they pitched their tents, and the King distributed among them the scarlet cloth, fine linen and embroidered belts made use of on such occasions. Clothed in these, they kept their vigil and watched

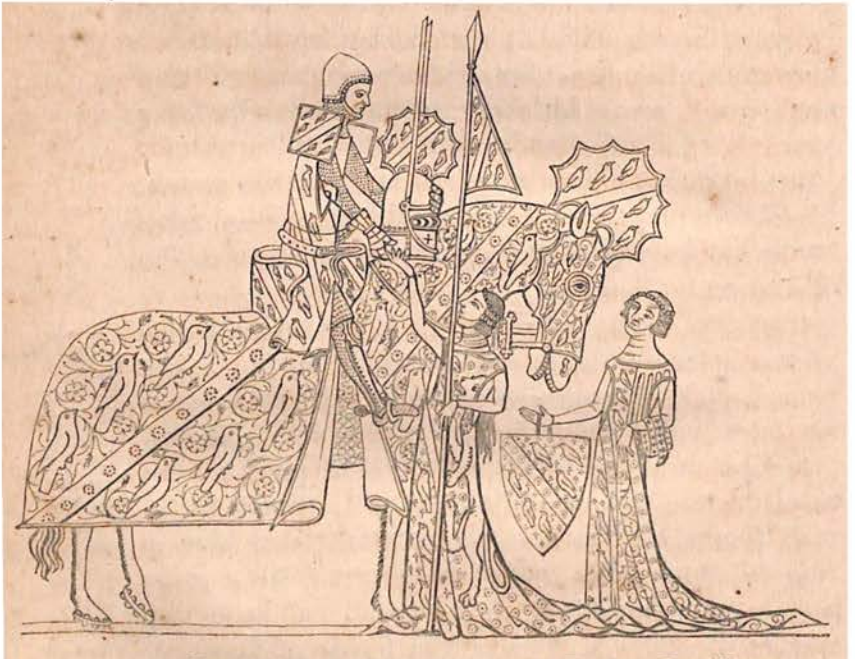
Edward prepares to invade Scotland for the seventh time.

Imposing ceremony of knighthood.

300 youths knighted in the Temple Gardens.

Edward I. A.D. 1306. Prince of Wales knighted,

their arms in the chapel of the Temple, while the young Prince performed the same ceremony in Westminster Abbey. The next morning, Edward knighted his son in the palace, and the Prince then conferred the same honour on the young esquires in the Abbey Church. After this they proceeded to the banquet, at which two swans, ornamented with golden net-



Wife and Daughter handing Armour to a Knight. (From Vetusta Monumenta, vol. vi. pl. 20, fig. 1.)

work, emblems of constancy and truth, were brought in. The King then made a solemn vow to set out for Scotland, to avenge the death of Comyn, and afterwards to proceed to the Holy Land; and he made his son promise, that if he, the King, should die before the journey, he would carry his body with

and makes a solemn vow to continue the war with Scot-

him to Scotland, and not commit it to the earth until he had conquered his enemies. The Prince and the barons promised faithfully to fulfil these commands, and they then separated to prepare for the expedition. The army was soon on its way, and the King himself, notwithstanding his infirmities, proceeded by slow journeys to Carlisle.[23c]

Edward I. A.D. 1306. land until he conquers it. The English army invades Scotland.

Bruce was unfortunate in the early part of his career; he was defeated at Perth by the Earl of Pembroke; his friends were scattered, or taken prisoners; a price was set on his own head; and he and a few of his most faithful friends wandered about as outlaws. To narrate his romantic adventures would require a volume in itself. He and his companions lived on the roots and berries of the woods; on the venison they procured by hunting; on the fish they caught in the rivers; and the skins of the deer and the roe furnished them with bedding. Their wives and daughters shared their perils and increased their difficulties. At last, he was nearly surrounded by his enemies, but managed to escape; the ladies were sent to a place of safety, and Bruce with but two or three friends endeavoured to gain the coast. On the borders of Loch Lomond, they were nearly overtaken; but, embarking in a frail and leaky boat, they again escaped, and Bruce finally reached an island on the coast of Ireland.

Bruce suffers reverses. Bruce's romantic adventures. Bruce escapes to Ireland.

Edward, in the meantime, acted with the utmost rigour to all who had taken part with Bruce, endeavouring by his severity to frighten the Scotch into submission. Bruce however, more fortunate than Wallace, was still supported by some faithful friends. In the spring he planned a return to Scotland, first sending his faithful friend, Sir James Douglas, to

Edward acts with severity to Bruce's followers. A.D. 1307.

Edward I. A.D. 1307.

make a descent on the Isle of Arran, where he made himself master of the castle. Bruce soon followed him, and they then ventured to land in Scotland, where they surprised Turnberry Castle. Shortly after this, Douglas regained possession of his own castle by stratagem; he entered it in disguise, found his retainers ready to welcome his return, and planned an attack on the English, which proved successful. Bruce now however met with a disappointment which nearly caused his ruin. Some reinforcements which he expected from Ireland were unfortunately intercepted, and put to the rout, and Bruce was again a wanderer among the mountains attended by only sixty men. The English pursued him closely, and tried to hunt him down with bloodhounds. At night Bruce waited for his pursuers at a narrow gorge, where one man could defend himself against a multitude; he heard the baying of the hounds, and by the light of the moon he saw his enemies approach. One by one he slew his foemen as they came, till, at length, being joined by his little band, whom he had planted a little distance off, he put his enemies to flight. But Bruce was still obliged to keep concealed. His retreat was discovered by means of a favourite blood-hound, which his enemy, the Lord of Lorn, made use of, knowing the dog would not fail to find his beloved master. Bruce again, however, escaped, and gained some successes over the English. His followers now gained more confidence, and determined to take the first opportunity of trying their strength against the English in the open field. It was not long before he had the wished-for opportunity, when he entirely routed a body of 3000 cavalry commanded by the

Bruce returns to Scotland.

Again meets with misfortunes, and again retreats to the mountains;

his narrow escape.

Bruce has more success.

Defeats a large body of English cavalry.

Earl of Pembroke. Further successes followed, and Edward, feeling that he was now opposed by a foe whose skill and courage demanded more than usual care to overcome, determined to march in person against his enemy. But the effort was too great. In four days he proceeded only six miles, when his further progress was arrested by the hand of death. He expired at the small village of Burgh-on-the-Sands on the 7th July, A.D. 1307. His body was brought to Westminster and buried in the Abbey on the 27th October.

Edward I. A.D. 1307. Edward determines to command the army in person, but dies at Burgh-on-the-Sands on July 7, A.D. 1307.

Thus ends the history of the reign of King Edward the First, the greatest of the Plantagenets. No greater monarch had, up to the time of his reign, ever sat on the throne of England. His personal qualities were such as to entitle him to our esteem. He was brave and wise, courageous, active, and energetic. His temper was rather despotic, and in his evasion of the Forest Laws he was somewhat faithless. But these are but small specks in the character of this great King; and we must admire him for his love of justice, for his improvement of the laws, for his uniting Wales and England into one kingdom, and for the peace and quiet which, by the wisdom of his government, was preserved in England during the thirty-five years of his reign.

Summary of King's character.

Wives and Children of Edward the First.

He was married twice:—

In June, A.D. 1254, he married Eleanor of Castile, sister of Alphonso IV., by whom he had *four sons*, John, Henry, and Alphonso, who all died young, and Edward, born at Caërnarvon, in Wales, on April 25th,

His wives and issue.

Edward I. A.D. 1284, who succeeded him by the name of Edward the Second; and

Issue by first wife.

Nine daughters, Eleanor, married to the Earl of Bar, in France;

Joanna of Acre (so called, because she was born there), married first to Gilbert de Clare, Earl of Gloucester, and afterwards to Ralph Monthermer;

Margaret, married to John, Duke of Brabant; the fourth and fifth died in childhood;

Mary, a nun at Amesbury;

Elizabeth, married first to John, Earl of Holland, and afterwards to Humphry de Bohun, Earl of Hereford.

The eighth and ninth died in childhood.

On September 12th, A.D. 1299, he married Margaret, sister of Philip the Fourth (surnamed the Fair), King of France, by whom he had *two sons:*

Issue by second wife.

Thomas de Brotherton, created Earl of Norfolk in A.D. 1313; and

Edmund of Woodstock, created Earl of Kent in A.D. 1322;

And *one daughter*, Eleanor, who died in her childhood.

NOTE TO PAGE 255.

Patent Roll, 19 Ric. II. p. 2 (m. 8)

In behalf of the men called "Hakeneymen."

The King to all and several the sheriffs, mayors, bailiffs, constables, provosts and other his faithful servants, to whom, &c.—greeting: Reginald Shrowesbury and Thomas Athekoc have prayed unto us, that whereas themselves and all others

called Hakeneymen, of Southwark, Dartford, Rochester and other towns between London and Dover, have in the times of our ancestors received for the hire of one hakeney between Southwark and Rochester sixteen pence, and from Rochester to Canterbury sixteen pence: and whereas certain persons daily passing to and fro between the aforesaid places take the horses of the said Reginald and Thomas and others their said fellows, and ride whither they please on the said horses, paying little or nothing for the service and hire of the same, so that oftentimes the said horses are lost and killed, and sometimes are sold by the hirers of the same, and taken far away, to the no small damage of the same our lieges, and to the manifest loss of their estate, and to the probable scarcity of the aforesaid horses in the aforesaid places within a short time, unless they be quickly succoured by us: We would be pleased to apply a timely remedy for the reformation of the premises.

We desiring to provide as well for the avoidance of damage and loss for the future, to our said lieges, as for the advantage and quiet of others both natives and aliens passing to and fro in the same district at their convenience, wish and ordain that for the hire of one hakeney from Southwark to Rochester twelve pence, and from Rochester to Canterbury twelve pence, and from Canterbury to Dover six pence only be taken, and so from town to town between the aforesaid places, more or less according to the rate of the said twelve pence and the number of miles, and that the aforesaid Reginald and Thomas, or others their fellows aforesaid, be in no wise compelled to let their horses aforesaid to any persons unless payment promptly be made to them for the same of the sum in the form aforesaid. And moreover, for the greater security of the aforesaid horses of our lieges, we wish and ordain, in excess of what it is our wont to do, that a certain branding-iron or instrument be kept in each of the aforesaid towns, which we wish to be in the custody of some worthy man in each of the same towns, for the branding of hack-horses of this kind, and free from any charge for the same branding. And that no one of whatsoever state or condition buy or sell or otherwise wrongfully take away horses so marked with the branding-iron or instrument, or cut the ears or tails of the aforesaid horses, or kill those horses, under pain of a heavy fine to us and to their imminent peril. And also that the same Reginald and Thomas, and others their fellows aforesaid, have free permission to take away with them, as is just, under the supervision of the bailiffs and constables of the place, their horses

so hired and marked with the said mark, and by the hirers of the same wheresoever they may chance to be found sold and carried off, on condition always that if the horses so to be hired break down on the road, by reason of defect or excessive weakness of the same, and not through the fault of the riders, so that they cannot complete their journey, then there shall be restored, of the sum given for the hire of the horses so failing, to the hirers of the same, as much as those hirers shall be able to show that they fairly paid for the hire of other horses for the completion of their journey. And therefore we command you, the beforesaid sheriffs, mayors, and bailiffs, and each of you, strongly enjoining you that ye make all and several the premises to be proclaimed where it shall seem expedient to you, and as far as in you lies to be firmly kept and observed in your bailiwicks, not annoying or vexing in aught the said Reginald and Thomas or others their fellows aforesaid, contrary to this our grant and ordinance. Whereof &c. Witness at the King's Manor of Chilterne Langele, the fifth day of January.

By letter of the private seal and by the counsel.

NOTE A. (PAGE 283.)

It is difficult to assign any reason why Edward the Third was not created Prince of Wales; but Henry the Sixth, probably, was not so created because he was only a few months old when he became King. Edward the Sixth was about to be created Prince of Wales when his father died; Charles the Second was declared Prince of Wales, although, probably on account of the troubles of the times, he was never so created; and, lastly, James Francis Edward, the Pretender, was styled Prince of Wales, but was never so created, doubtless because William of Orange landed soon after his birth.

NOTE B. (PAGE 283.)

"In the thirty-first year of the reign of Henry the Third (A.D. 1246), the Earldom of Chester was annexed to the English crown for ever, and was conferred by him, in the thirty-

eighth year of his reign (A.D. 1253), on his younger son Edmund, who afterwards surrendered it to his elder brother Prince Edward. By act 21 Rich. II. cap. 9, the Earldom of Chester was erected into a principality, and, although this act was repealed by act 1 Hen. IV. cap. 3, the Earldom of Chester has, ever since, been granted in conjunction with the Principality of Wales." [28]

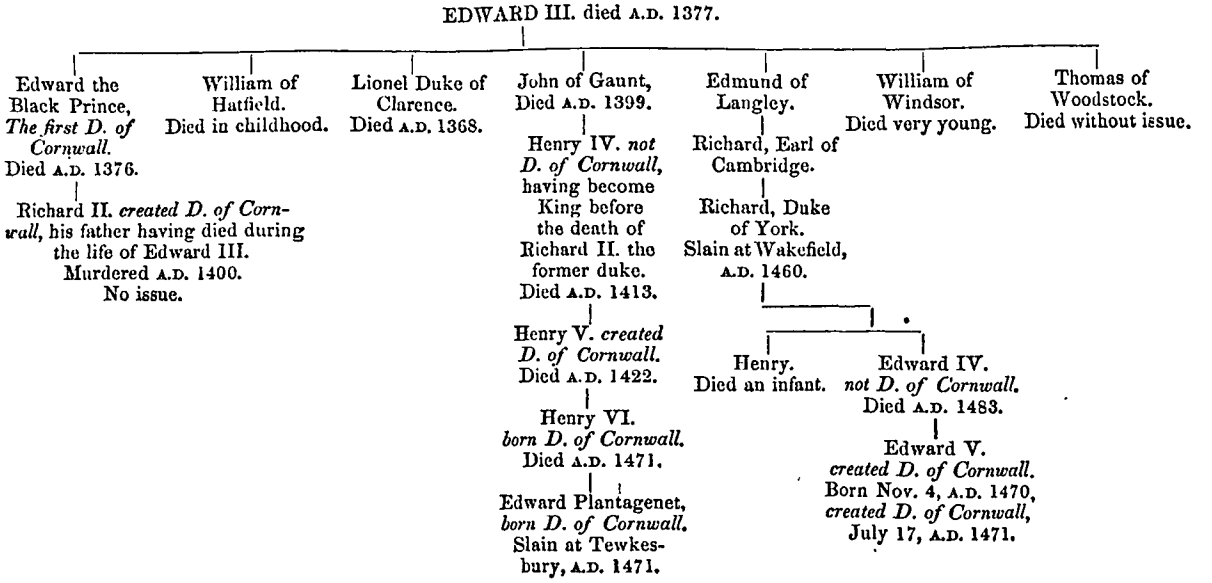
NOTE C. (PAGE 283.)

The first creation of a Duchy in England was by a charter granted by Edward the Third, dated March 17th, A.D. 1337 (11 Edw. III.), in favour of his son, named Edward the Black Prince, who had been created Duke in Parliament, Monday next after the Feast of St. Matthew preceding, to hold to himself and to the eldest sons of him and his heirs, Kings of England; by virtue of which charter, the eldest son of the King of England is by law acknowledged Duke of Cornwall the instant he is born. The Dukedom, however, reverts to the crown if the King's eldest son dies during his father's lifetime, leaving a son; for the holder of the Dukedom must be the King's eldest son, as well as heir to the throne. It cannot, therefore, descend to the King's second son, in the event of the King's eldest son dying without issue. This explains the reason why Richard the Second and Henry the Fifth were created Dukes of Cornwall, who were not so by birthright.

Richard the Second was not a King's son, but grandson, his father, the Black Prince, having died before the death of Edward the Third; Henry the Fifth was not the heir of the person (the Black Prince) originally created Duke of Cornwall, but of his younger brother, viz., John of Gaunt, the fourth son of Edward the Third, who was the father of Henry the Fourth, the direct line having died out in Richard the Second. Edward the Fifth was created Duke of Cornwall, although the eldest son of the reigning monarch, who was himself the heir of the Black Prince, his father probably considering it the safer means of investing the Duchy in him; inasmuch as he was not born Duke of Cornwall, and only became so by the death of Edward Plantagenet.

SONS OF EDWARD III.

TO ILLUSTRATE THE GENEALOGY OF THE DUKES OF CORNWALL.


EDWARD III. died A.D. 1377.
Edward the Black Prince, *The first D. of Cornwall.* Died A.D. 1376.
Richard II. *created D. of Cornwall,* his father having died during the life of Edward III. Murdered A.D. 1400. No issue.
William of Hatfield. Died in childhood.
Lionel Duke of Clarence. Died A.D. 1368.
John of Gaunt, Died A.D. 1399.
Henry IV. *not D. of Cornwall,* having become King before the death of Richard II. the former duke. Died A.D. 1413.
Henry V. *created D. of Cornwall.* Died A.D. 1422.
Henry VI. *born D. of Cornwall.* Died A.D. 1471.
Edward Plantagenet, *born D. of Cornwall.* Slain at Tewkesbury, A.D. 1471.
Edmund of Langley.
Richard, Earl of Cambridge.
Richard, Duke of York. Slain at Wakefield, A.D. 1460.
Henry. Died an infant.
Edward IV. *not D. of Cornwall.* Died A.D. 1483.
Edward V. *created D. of Cornwall.* Born Nov. 4, A.D. 1470, *created D. of Cornwall,* July 17, A.D. 1471.
William of Windsor. Died very young.
Thomas of Woodstock. Died without issue.

In consequence of the interest and importance of this subject at the present moment, I here add the following extract from the "London Review," of February 28th, 1863: —

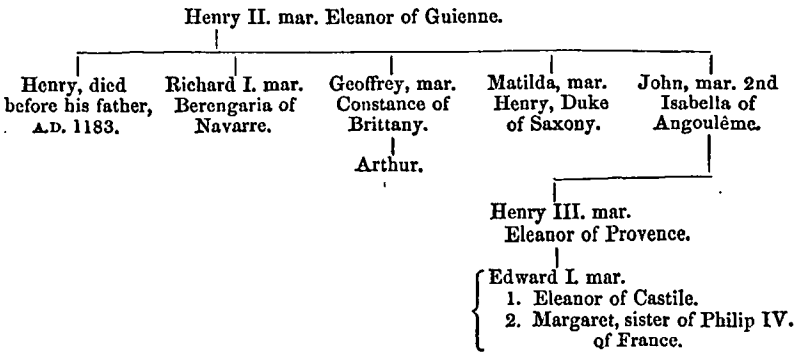
"The Earldom of Cornwall, which preceded the Duchy, may be said to be coeval with the Conquest. Earl Robert of Mortaigne, the half-brother of the King, is returned in Domesday Book as the holder of nearly all the county, the Church lands and a few manors held by the King himself excepted. The rapacious Earl had even stolen some of the Church lands (*hanc terram abstulit comes ecclesiæ S. Michaelis*, says the record). The Earldom was always in the hands of the King, or of some prince of the blood, down to the time of the creation of the Duchy by Edward III., but its possessions were squandered by the profuse grants of successive holders. In the reign of Henry III., however, the revenue of the Earldom was so large, as to prove formidable to English liberties; in the struggles between the King and De Montfort, the King's brother Richard, the King of the Romans, devoted his wealth to the pay of German mercenaries, and there are manors in Cornwall whose names still show that they were once held by the free-lances who fought at the battles of Lewes and Evesham. Edward III., as is well known, created the Duchy of Cornwall in the person of his son the Black Prince, and upon the true interpretation of the words of the gift, 'Eidem Duci et ipsius et hæredum suorum regum Angliæ filiis primogenitis et dicti loci ducibus in regno Angliæ hereditarie successuris,' depends the controversy between Mr. Gladstone, Mr. A. Smith, and Sir John Trelawny. Luckily we are not called upon to interpret the limitation anew, as its meaning has been settled by several precedents. The first question upon it arose upon the death of the Black Prince in the lifetime of his father, leaving a son afterwards Richard II., and it was decided that Richard did not succeed to the Duchy because he was not the first-born son of a King of England. This precedent would be perhaps out of date, but no similar circumstance occurred till the death of Frederick, Prince of Wales, in the lifetime of George II., when an Act of Parliament (33 Geo. II. cap. 10) was passed, which declared the King to be Duke of Cornwall, and gave him a power of leasing the possessions of the Duchy. Mr. Augustus Smith was, therefore, quite right last week when he said that on the death of a Prince of Wales leaving a son, the Duchy reverted to the crown; and although Mr. Gladstone's statement in reply was correct in its facts, it had no bearing on the argument. Mr. Gladstone's facts were an answer to the second question—whether on the death of a Prince of Wales without issue, but leaving a second brother, the Dukedom would pass to that brother; and it is clear that, according to former decisions, it would. The second son fulfils the condition of being a King's son, which the son of the Prince would not be; and although it might be thought that he was not *primogenitus*, yet it has been settled that this word is not restricted to the son

actually first-born, but includes the first-born surviving son. This was decided upon the death of Arthur, the eldest brother of Henry VIII., and upon the death of Henry, the eldest brother of Charles I., and was acted upon in the case of the deaths of the infant children of Henry VIII., and the infant eldest brother of Charles II. Coke, indeed, reports differently in the Prince's case; but, his report on this point was declared by the Lord Chancellor Ellesmere, who presided at the trial of the case, to be erroneous, and it was disapproved of in the last century by Lord Hardwicke. Sir John Trelawny was, therefore, wrong in denying that a second son of the King would succeed to the Duchy of Cornwall upon the death, in the lifetime of the father, of the first son without issue, and we may perhaps correctly and succinctly describe the qualifications of the Duke of Cornwall, when we say he must be the son and heir-apparent of the reigning Sovereign; and if there be no such person, the Duchy is, *pro tempore*, merged in the crown.

"It must not be concealed that the ameliorated condition of the Duchy of Cornwall may hereafter be a source of anxiety. The proposal to charge the jointure of the Princess Alexandra upon its revenues, to the principle of which the Chancellor of the Exchequer half assented could not, it is plain, be entertained without an infringement not only of the private rights of the Queen, but of those of the possible future Dukes, the younger brethren of the Prince. On the other hand, an accumulation, under present circumstances, of the revenues of the Duchy during a minority coexistent with that of the Prince of Wales, would produce two millions of money, and render the heir to the Crown virtually independent of Parliament. The danger may be to us imaginary, but it remains possible, and its existence should be remembered."

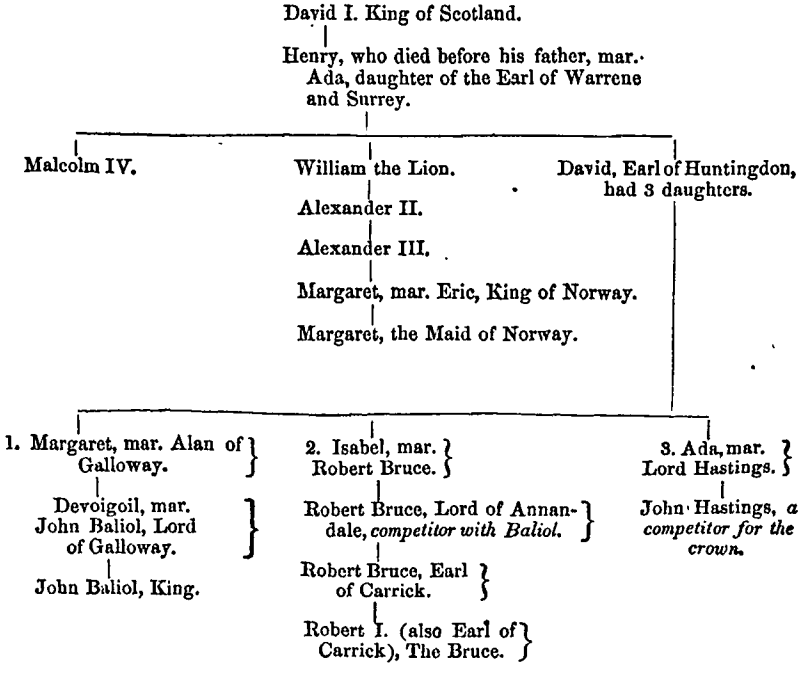
PLANTAGENET LINE.

TABLE SHOWING THE DESCENT OF EDWARD I.


Henry II. mar. Eleanor of Guienne.
Henry, died before his father, A.D. 1183.
Richard I. mar. Berengaria of Navarre.
Geoffrey, mar. Constance of Brittany.
Arthur.
Matilda, mar. Henry, Duke of Saxony.
John, mar. 2nd Isabella of Angoulême.
Henry III. mar. Eleanor of Provence.
Edward I. mar.
1. Eleanor of Castile.
2. Margaret, sister of Philip IV. of France.

SCOTTISH KINGS.

TABLE SHOWING THE DESCENT OF BRUCE AND BALIOL.


David I. King of Scotland.
Henry, who died before his father, mar. Ada, daughter of the Earl of Warrene and Surrey.
Malcolm IV.
William the Lion.
Alexander II.
Alexander III.
Margaret, mar. Eric, King of Norway.
Margaret, the Maid of Norway.
David, Earl of Huntingdon, had 3 daughters.
1. Margaret, mar. Alan of Galloway.
Devoigoil, mar. John Baliol, Lord of Galloway.
John Baliol, King.
2. Isabel, mar. Robert Bruce.
Robert Bruce, Lord of Annandale, competitor with Baliol.
Robert Bruce, Earl of Carrick.
Robert I. (also Earl of Carrick), The Bruce.
3. Ada, mar. Lord Hastings.
John Hastings, a competitor for the crown.

NOTES.

The following list of references is not given as a list of original authorities, but solely as a reference to the authors whom I have quoted, and on whom I have relied. I have given them, partly to enable those who wish, to verify the quotations, and test the accuracy of the narrative, and partly as a guide to those who may desire to study the subject more fully.

TYRRELL'S *History of England.* Folio, 1700.

[1] Vol. I. p. 144.
[1a] „ 93.
[2] Vol. III. p. 51.
[3] „ 56.
[4] „ 57.
[5] „ 63.
[6] Vol. III. p. 69.
[7] „ 80.
[7a] „ 108.
[8] „ 145.
[7b] „ 160.
[9] „ 179.

Some Account of Domestic Architecture in England, from the Conquest to the end of the 13th Century. By T. HUDSON TURNER. 8vo. Oxford, 1851. Vol. I.

[10] The picture of the state of England is condensed principally from the above work.

[10c] The same work. Vol. II. p. 113.

Enshrined Hearts of Warriors and Illustrious People. By EMILY SOPHIA HARTSHORNE. 8vo. 1861.

[10a] Vol. I. p. 122. | [10b] Vol. I. p. 129.

REEVES' *History of English Law.*

[11] Vol. II. p. 94. | [12] Vol. II. pp. 98, 99. | [13] Vol. II. p. 10.

History of Wales. By B. B. WOODWARD. Royal 8vo.

[13a] Pp. 480 and 573.

RAPIN'S *History of England.* Folio. Third Edition. London, 1743.

[14] Vol. I. p. 364.

TYTLER'S *History of Scotland.* 8vo. Third Edition, 1845.

[14a] Vol. I. p. 70.
[14b] „ 72.
[15] „ 83.
[16] „ 85.
[17] „ 115.
[18] „ 123.
[19] „ 144.
[20] „ 146.
[21] Vol. I. p. 147.
[22] „ 157. (quoted from Hemingford.)
[23] „ 194. (quotation from Langtoft.)
[23a] „ 206.
[23b] „ 209.
[23c] „ 218, 219.

Lives of the Queens of England. By AGNES STRICKLAND. 12 Vols. Post 8vo.

[23d] Vol. II. p. 175.

CARTE'S *History of England.* Folio, 1750.

[24] Vol. II. p. 236.

[25] Condensed from *The Geography of British History.* By W. HUGHES, F.R.G.S. Fcp. 8vo. London, 1863, pp. 153–155.

The History and Antiquities of London, &c. By T. ALLEN and T. WRIGHT, 5 Vols. 8vo. London, 1829.

[26] Vol. IV. pp. 6, 7, 8.

The Annals of England. 3 vols. Oxford, 1858.

[27] Vol. I. p. 339.

COURTHOPE'S *edition of* NICOLAS'S *Peerage.* 8vo. 1857.

[28] P. 105.

London, Longman & Co.

Edwd Weller

LECTURE FIFTH

A.D. 1307—27.

THE REIGN OF EDWARD THE SECOND.

Character of King EDWARD THE SECOND and of his Reign.—The King's Affection for Gaveston.—History of the Rise and Overthrow of the Order of the Knights Templars.—Events from the King's Marriage until the Death of Gaveston.—Wars with Scotland.—Quarrels between the King and the Barons.—The new Favourites and their fatal Influence.—Murder of King Edward the Second.—His Wife and Issue.

Character of the King and of his Reign.

THE cruel murder of the King whose history I am now about to relate, would, of itself, be enough to enlist our sympathies on his side, were there anything in his character, or any act of his reign traceable to his own personal influence, that was calculated either to deserve our admiration, or to excite our affection. The First and Third Edwards were both great kings; but Edward the Second, unfortunately, possessed no single quality to make us love or respect him. He was, in everything, the very opposite of his father, whose dying commands it was the first act of his reign to disobey. He was, seemingly, of an easy disposition, but his yielding temper was only weakness, and his semblance of good nature was rank

Edwd. II. A.D. 1307.

Character of the King.

Edwd. II. A.D. 1307.

selfishness; he was disposed to make friendships, but his fondness for his friends was so unnatural, was so excessive, that he sacrificed to them his duty to his country, and the respect of his subjects. His inordinate affection for his two favourites, Piers Gaveston, and the younger Despenser, involved him in perpetual quarrels with the barons, which certainly, in their result, fostered and strengthened the constitutional liberties of the people, but, in their immediate effect, interfered seriously with the wars of conquest or defence in which the country was then engaged. The romantic incidents of Bruce's heroic exploits, and the breaking up of the famous order of the Knights Templars, give an interest to the history of this reign, which would otherwise be a mere record of the struggles between a weak tyrant and depraved favourites, on one side, and selfish barons on the other. Cruel and lawless murders, and legal, but not less cruel, executions were perpetrated on both sides, and we seek in vain for a single public man, of either party, during the whole of this reign, whose character we can contemplate with pleasure. All that the barons cared for, was, to gain more power for themselves, and thereby prevent the King from taxing them too heavily, or interfering with the course of justice. In their resistance to the King they were influenced by their own personal interests only: no trace of large views, or general principles of government, such as are to be found in that corner-stone of our liberties, the Magna Carta, is discoverable in their proceedings. But yet, while intending to work only for themselves, they, without dreaming of it, worked for the advantage of posterity also.

Chief incidents of the reign.

There is, however, in this reign, one remarkable

exception to this charge of narrowness, which, while on the one hand it proves the short-sighted views of the barons in general, yet shows, on the other, an apparent enlightenment of one among them, worthy of a later age. I allude to the younger Despenser's attempt to limit and define the power of a king, which the barons, afterwards, charged against him as a crime. I shall relate this incident in its due course. Edwd. II. A.D. 1307. Remarkable exception to narrow views of the barons.

Having thus given you a sketch of the general character of this reign, I shall now proceed with the continuous history.

The King's affection for Gaveston.

Edward the First died on July 1st, A.D. 1307, and was succeeded by his son Edward of Carnarvon, the first Prince of Wales, who was then in the twenty-fourth year of his age. Before the death of the old King, Bruce had been very successful in Scotland against the English, and the great King therefore, though through illness hardly able to move, had roused himself for a last struggle against his obstinate foe; but he died in the attempt. Feeling that his end was near, he called to him his son, and made him promise, by all that was holy, to carry on the war against Bruce, till Scotland lay at his feet; to take his father's bones with him as a constant reminder of the promise he had made and as a token of his fidelity, and not to bury them till the war was crowned with success. Edward also made his son promise that his heart should be taken to the Holy Land. Besides this he expressly bade his son not to recall from exile one Piers Gaveston, a profligate friend of the young prince. This man was the son of a Gascon gentle- His accession. His father's dying commands. He bids his son not to recall Gaveston.

Edwd. II. A.D. 1307.

man, who had done great service to the King, in his wars with France, and he had been brought up, from his youth, with the young prince as his companion. He was handsome, skilled in arms, and of a lively ready wit. But he was licentious and depraved, and gave the young prince ill advice and led him into evil habits. The old King therefore, in a great Council, held at Carlisle, at the end of February, only a few months before he died, fearing that Gaveston would utterly corrupt his son, had banished him from the kingdom, and he now, on his death-bed, bade his son not to recall him. Every one of these dying commands Edward the Second disobeyed, so soon as the breath was out of his father's body. He at once prepared for the late King's burial in Westminster Abbey, made no serious attempt to conquer Scotland, and recalled Gaveston from exile.

The young King disobeys his father's commands.

On the death of his father, the young King returned to Carlisle, to prepare for continuing the war; and on the 1st of August, he marched to Dumfries, where he received the homage of some of the Scottish nobles, and then, marshalling his army in three divisions, he seemed to make ready for battle. But Gaveston, obeying without delay the young King's summons, suddenly returned from exile; and Edward, at once, gave up all thoughts of leading the army in person. He received Gaveston with extravagant marks of affection, called him his brother, and created him Earl of Cornwall. Having resolved to return to England, he appointed Aymer de Valence, Earl of Pembroke, guardian of the kingdom of Scotland, "leaving with him powers to give what terms he thought fit to all the Scots that would submit, except such as had been concerned in

Gaveston recalled by the King.

Comyn's murder, or in promoting the last insurrection."[1] Edwd. II. A.D. 1307.

The war with Scotland was carried on, but without skill or energy, for seven years. The master mind of the great King no longer directed its management, and the changeable caprices of his son, who appointed six different Governors of Scotland during one year, weakened the spirit of the invaders, till at last, the fatal battle of Bannockburn seated Bruce firmly on the throne. War with Scotland languishes.

I shall reserve the history of those wars till I reach the period at which that battle was fought, and in the meantime proceed with the personal history of the King, and the events which happened in England.

On his return to England at the beginning of his reign, Edward continued to heap favours on Gaveston. Early in November, he married him to his niece Margaret de Clare, sister of the young Earl of Gloucester, and daughter of his own sister, Joanna of Acre, who had married Gilbert de Clare, the former Earl of Gloucester. He also granted him the honours, or great manors, of Wallingford, St. Valery, and Knaresborough; the chase of, or right of hunting over, Dartmoor; the whole county of Cornwall, and all the estates of Edmund, late Earl of Cornwall. He made him his Secretary, and created him Great Chamberlain of England.[2] Honours heaped on Gaveston.

The Earls of Lancaster and Hereford, and other barons who afterwards rose in rebellion against the King and his favourite, concurred in these acts of the King.[3] They did not yet know their sovereign's character. All these foolish favours puffed up Gaveston with insolent pride, and he amused himself and the King, by turning the barons into ridicule. He Gaveston insults the barons.

Edwd. II. A.D. 1307.

gave them nicknames, calling the Earl of Lancaster, "The Stage Player" and "The Old Hog;" the Earl of Pembroke, "Joseph the Jew;" and the Earl of Warwick, "The Wild Boar of Ardennes" and "The Black Dog of the Wood." In an old play, on the life and reign of Edward the Second, by Marlow, these scurrilous practices of the King and his favourite are thus alluded to[78]:

> Whilst others walk below, the King and he
> From out a window laugh at such as we,
> And flout our train, and jest at our attire.

Gaveston holds a tournament at Wallingford.

Gaveston also gave much offence to the barons, by overcoming them at a great tournament, held early in December, at his castle of Wallingford, to which he invited various foreign knights, highly skilled in this warlike sport, who were more than a match for the English; and he did not hesitate to avail himself of treachery also to secure victory to his side. "Hearing that a party of brave knights were coming to join his adversaries, he went privately out of the place at the head of two hundred knights, attacked and dispersed them."[4]

The regular course of the history must here be interrupted to introduce an account of the rise and overthrow of the famous order of the Knights Templars; for it was in this year, A.D. 1307, that measures for their destruction were first taken.

History of the Rise and Overthrow of the Order of the Knights Templars.

Destruction of the order of Knights Templars.

The year A.D. 1307 is memorable for the destruction of the order of the Knights Templars, after it had been in existence for nearly 200 years.

The abolition of the order in France was accomplished by Philip the Fair, with the assistance of Pope Clement V., a mean-spirited prelate, whom Philip had raised to the Papacy, as a compliant tool to work with. Blasphemy, and crimes of the most revolting nature, were laid to their charge, but were not proved; and there can be but little doubt that these charges were false as applied to the order in general, and that their enormous wealth was the temptation to their destruction by the King of France. Edwd. II. A.D. 1307.

The order of the Knights Templars was instituted in the year A.D. 1118, about twenty years after the taking of Jerusalem by the first Crusaders. Originally nine noble knights, who had distinguished themselves at the siege, banded themselves together to protect the pilgrims to Jerusalem, and Baldwin II., King of Jerusalem, granted them a place of habitation within the sacred inclosure of the temple of Solomon on Mount Moriah. They were thence known as the Knights of the Temple of Solomon. It soon, however, became necessary for these knights to add to their numbers, and to undertake the defence of the kingdom of Jerusalem against the Mahometans; and Hugh de Payens was chosen as their first leader, under the title of Master of the Temple. In A.D. 1128, Pope Honorius V. constituted them a religious order, under rules of the greatest strictness. Origin of the order.

It is unnecessary here to enter into a history of the heroic doings of these Knights Templars during the Wars of the Crusades: it is sufficient to state that their wealth and renown increased with wonderful rapidity. Sovereigns enrolled themselves in the order, money and lands were granted to them in the greatest profusion, and the devoted bravery of the

Edwd. II. A.D. 1307.

Red Cross Knights was famous throughout Christendom.

The Christians driven out of Palestine, and consequent inutility of the order.

At length, in the year A.D. 1299, the Templars were signally defeated by the Saracens, and the Christians were utterly driven from the Holy Land. All hopes of regaining possession of Palestine were now entirely given up, and the purpose for which the order of the Knights Templars was instituted was at an end. Had their services still been required for the defence of the Christians in Palestine, or had their enormous wealth been still devoted to the support of soldiers defending Christianity against Islamism, it would not have been so easy for Philip to have accomplished their destruction. But their course having been run, Philip could rob them with impunity; and the charges brought against them tended to stifle sympathy for their fate.

Crimes imputed to them absurd as against the order, but individuals may have been guilty.

As I have already stated, there is no sufficient ground for believing that the crimes imputed to them were characteristic of the order; but it is not unlikely that individuals among them may have been tainted with Eastern vices, and the rules which they swore to obey required such superhuman virtue, that it is probable some of them may have been tempted, by the impossible austerities required of them, to fall into the opposite extreme of laxity. Some pretence of justice may therefore have been put forward in pronouncing their condemnation. The charge of blasphemy, too, may have had some apparent foundation, from a misconception of the meaning of some of their ceremonies. Thus, it was stated, that when a knight was admitted to the order, he was compelled to express his disbelief in Our Saviour, and even to spit on the Cross. It seems probable that he was obliged

Origin of the imputation of blasphemy.

to do this three times; but the meaning of these acts was, that every candidate for admission was regarded as a sinner of the deepest dye, and that, to betoken this, he denied his Saviour three times, like St. Peter, and that it was represented thus as the peculiar object of the institution to raise the degraded sinner to a pinnacle of Christian purity. Edwd. II. A.D. 1307.

Confession of the crimes imputed to them was extorted from the Templars by tortures of horrible barbarity; and the victims were given to understand that confession would be followed by pardon, while persistence in the assertion of innocence would be looked on as an aggravation of their crimes. Confession of crimes was extorted by torture.

In England, it was long before torture was made use of to force the Templars to confess; but both Edward II. and his father were actuated by the same motives in attacking the order. Shortly after the total loss of Palestine, Edward I. seized and appropriated to his own use the moneys accumulated by the Templars, alleging that the purpose for which their property had been granted to them no longer existed; and Edward II., on his accession, went with his minion Gaveston to the Temple in London, and carried off a large amount of treasure belonging to the order. Edward I. and Edward II. seize the property of the Templars.

So soon as Philip the Fair had issued orders for the seizure of all the Knights Templars in France, he wrote to the principal sovereigns of Europe, urging them to follow his example, and, among others, to Edward II., who had just ascended the throne. The young King expressed his disbelief in the charges against the Templars, but summoned the seneschal of Agen in Guienne, the originator of them, to appear before him, in order that he might be examined Philip of France urges the King of England to imprison the Templars.

Edwd. II. A.D. 1307.

as to their truth. The result of the inquiry was, that, on the 4th December, A.D. 1307, Edward wrote to the Kings of Portugal, Castile, Aragon, and Sicily, expressing his disbelief in the charges, and a few days afterwards he wrote to the same effect to the Pope. But the Pope had issued a bull, a short time previously, calling on Edward to arrest all the Templars in his dominions; and, on receipt of the bull, the King, either believing in their guilt, or hoping to get possession of their wealth, promised obedience.

Edward refuses.

The Pope urges compliance and Edward yields.

On the 8th of January, A.D. 1308, the Templars in all parts of England were suddenly arrested, and their property was seized by the King. Then followed scenes as lamentable, and as terrible, as those which were simultaneously taking place in France. Warriors who had fought to the last in the Holy Land—grey-headed knights never before suspected of crime—were brought up before the Pope's inquisitors, the Archbishop of Canterbury, and the Bishops of London and Lincoln, and accused of a long series of crimes. In the meanwhile, a general scramble for their property took place, and the Archbishop of Canterbury ordered a papal bull to be published, threatening excommunication on all those who should protect, or show the least kindness to a Templar.

Templars arrested in England on January 8th, A.D. 1308.

The prisoners, one and all, indignantly denied the truth of the accusations. Witnesses were brought forward against them; but they could only say that they thought the mystery and secresy of their ceremonies were owing to bad motives, or that they had heard that they had done such and such things. But the Pope was not thus to be baffled, and Edward was not

The prisoners deny the truth of the charges brought against them.

the man to resist his iniquitous tyranny. Torture was ordered to be applied. The Pope wrote to Edward, upbraiding him for preventing the inquisitors from applying the rack. Edward weakly and wickedly yielded, and sent orders to the Constable of the Tower to deliver up the Templars to the inquisitors, to do with them as they might please. Edwd. II. A.D. 1308. The Pope urges that torture should be applied, and Edward yields.

The prisoners, many of whom had been in prison for nearly four years, and were broken down by the misery they had endured, were brought up before the inquisitors, and again asked to confess their crimes.

They knew that, if they confessed, they would at once be set at liberty; and that, if they did not confess, they would be tortured: but yet, one and all utterly denied the truth of the crimes imputed to them. They still persist in their innocence,

At length torture produced its effect. One after another, the prisoners admitted the truth of the charges brought against them, and were pardoned. To this general submission there were but few exceptions, the only one of note being William de la More, the Master of the Temple in England, who died in his dungeon in the Tower, persisting, to his last breath, in the innocence of his order. but at length they yield.

In France, more courage was shown by the prisoners. It may be that in England, the King dared not put to death any of the accused Templars; but it is certain that, while in England none suffered death rather than confess themselves guilty, in France there were multitudes who endured horrible mortal agonies, slow burnings and torture, rather than do so. Jacques de Molay, the Grand Master of the order, in a moment of weakness had yielded, and was called on to renew publicly the confession of In France some of the prisoners defy the torturers. Death of the Grand Master.

Edwd. II. A.D. 1308.

guilt extorted from him by torture. But the moment of weakness had passed away, and, although he well knew the terrible fate that would befall him, on being called on to avow his guilt in the face of an assembled multitude, he rose triumphantly, declaring that it was only the pain of torture that had caused him to admit the truth of the charges against him, asserting his innocence, and denouncing his judges, till he was interrupted and hurried back to prison. The next day he was slowly burnt to death.

They must be deemed innocent.

Thus ends the history of this great order; and from the nature of the evidence, and the mode in which their trial was conducted, it is impossible to come to any other conclusion than that, whether they were guilty or not guilty, the charges were utterly unsupported by a tittle of proof which, in a modern court of justice, would for an instant weigh against them.[79]

Events from the King's Marriage until the Death of Gaveston.

A.D. 1308.

King's marriage to Isabella of France.

At the end of January in the following year, the King went to France to marry Isabella, daughter of Philip the Fourth (called the Fair), King of France. She was only sixteen[14] years old, but was considered to be the most beautiful woman of the time. The King sailed from Dover on the 22nd of January, was married, with great splendour, at Boulogne on the 28th, and returned to England on the 7th of February.

Cause of long wars.

"This marriage was the cause of the longest and bloodiest wars that ever desolated France, for it was in her name that Edward the Third made claims to the throne of France."[15]

Although the King was absent from England for

little more than a fortnight, yet he appointed Gaveston Guardian of the Kingdom during his absence, giving him power to control all Church preferments, and granting to him feudal rights not usually conceded to guardians, though of royal family.[5] On his return, when the great men of the kingdom came to meet him at Dover, he received none with such affection as he bestowed on his minion Gaveston, "giving him the sumptuous presents of fine horses, rings, jewels and other curiosities of great value presented to him by the King of France on his marriage."[6] All these injudicious follies exasperated the nobles to such a degree that they demanded Gaveston's banishment, threatening to stop the King's coronation, unless he yielded to their demands.

Edwd. II. A.D. 1308.

Gaveston appointed guardian of the kingdom.

On the king's return he disgusts the barons by his love for Gaveston.

The King, accordingly, promised, that, at the next Parliament, he would yield whatever they should require of him; and the barons then consented to the King and his Queen being crowned at Westminster Abbey on the 23rd of February. But still, the King's madness and Gaveston's insolence could not be kept within bounds. Edward appointed Gaveston to carry the crown before him at the coronation, and Gaveston insulted the nobles, by the superior splendour of his apparel, "being dressed finer than the King himself."[7] The coronation oath taken by the King was as follows:

King promises amendment.

His coronation.

"*The Bishop of Winchester.* 'Sir, will you keep and confirm by your Oath to the people of England, the laws established by the pious Kings your predecessors, and particularly the laws, customs, and liberties, granted to the clergy and people, by the glorious St. Edward, your predecessor?'

Coronation oath.

"*King.* 'I will, and promise it.'

Edwd. II. A.D. 1308.

"*Bishop.* 'Sir, will you preserve to God, to Holy Church, to the clergy and people, the peace of God, fully and to the utmost of your power?'

"*King.* 'I will.'

"*Bishop.* 'Sir, will you cause to be observed in all your judgements, right and justice with discretion, in mercy and in truth, as far as you are able?'

"*King.* 'I will.'

"*Bishop.* 'Sir, will you promise to keep, and cause to be kept, the laws and statutes that the community of your kingdom shall judge fit to enact, and will you defend and protect them to the utmost of your power?'

"*King.* 'I do promise it.'"

Liberties derived from Edward the Confessor.

From this oath it will be seen that the liberties of the nation were not supposed to be derived from Magna Carta, but from the laws of Edward the Confessor, and that they were therefore only confirmed by Magna Carta.

The barons exasperated.

The barons now, having no belief in the King's promises, determined to seize Gaveston, and they hunted him over half the kingdom. The only one among them, who still adhered to the King, was Hugh le Despenser, the father of the King's future favourite.[18]

Gaveston flees from their fury.

Gaveston went first to his castle at Wallingford, and then, fearing he was not safe there, fled to the King at Windsor. The barons, being unable to find him, held a great meeting at Northampton to consider the affairs of the kingdom, "threatening those who should neglect to come in to them, with no less than the plundering and destroying of their houses and estates."[38] Here it was agreed that "if the King does not govern according to reason, the barons are

bound by their oath to bring him back to reason." [19] Edward now got frightened, and summoned a Parliament, which met at Westminster in the spring. The King still tried to protect his favourite, but the Parliament decreed, that he should be banished from the kingdom for ever. Edward obtained leave however for Gaveston to go to Ireland, of which he appointed him Governor, and such was the infatuation of this wretched King, that he went with Gaveston to Bristol, from whence the minion embarked for Ireland.

Edwd. II. A.D. 1309.

Gaveston banished, on May 18, but goes to Ireland.

During this period the whole government of the kingdom went on badly. Bruce, as you will shortly hear, continued to gain more and more power in Scotland, the crown property in England was being wasted, and the course of justice was interfered with. The barons complained, among other things, that the King's purveyors took all kinds of provisions without payment; that additional duties had been laid on wine, on cloth, and on other foreign produce; that the coin was debased; that the King's officers held pleas which did not fall under their cognizance, and exercised authority beyond the "verge," that is, a circuit of twelve leagues round the King's person. The meaning of this grievance was, that the King's own personal officers usurped the settlement of complaints, and the granting or withholding relief, which belonged properly to the Law Officers, and the Law Courts of the Crown.

The king's misgovernment and its consequences.

But Edward paid no attention to such matters. All he cared for was the society of Gaveston, and at a Parliament held in the spring he tried to get leave for his return from exile. But the Parliament would agree neither to this, nor to Gaveston's retaining the

Edwd. II. A.D. 1309.

Earldom of Cornwall, and it was only on the confirmation of the Great Charter, and the Charter of the Forests, that Parliament consented to grant the King "the 25th penny of all their personal estates."[39] Shortly afterwards (on July 26th), Edward held a Council or Parliament, at Stamford, to consider what should be done to resist Bruce's progress in Scotland, and at this Parliament the King contrived, by promising redress of the barons' grievances, to obtain leave for Gaveston to remain Earl of Cornwall. Gaveston had now been living in banishment for more than a year, but in great splendour and power. The King could bear his absence no longer, and, without consulting his Parliament, he sent to him to return, and even went to Chester to meet him. On his return, "Edward received him with transports, which convinced all the world that he loved him to distraction, and carried him to Langley in Hertfordshire, where he kept him some time to himself; not caring to be diverted by the Queen, his ministers, or others, a moment from enjoying his company."[8] This greatly disgusted the barons, who appointed tournaments in different places, in order to get their partisans together, and concert measures for wreaking their vengeance on Gaveston. The King, fearing the barons would thereby gain too great power over him, put down these tournaments by proclamation.[9]

Gaveston's return.

Soon after Gaveston's return, on October the 18th, the King held a Council at York, at which Gaveston was present as Earl of Cornwall, in consequence of which the Earls of Warwick, Lancaster, Oxford, Lincoln and Arundel[40] refused to attend. These barons were probably absent from the council at Stamford, at which it had been agreed that Gaveston might

His presence at a council displeases the barons.

remain Earl of Cornwall, but, granting even that they were bound by the act of the barons who were present, Gaveston's unauthorised return to England, was a sufficient justification of their refusal to attend a council, at which he was present. The King, however, still continued his depraved affection for this favourite, who abused the King's weakness to such an extent, that "he had not sometimes wherewithal to defray the usual expenses of his family, and the Queen herself was so straitened for her necessary allowance, that she was forced to write letters of complaint to her father the King of France."[41]

Edwd. II. A.D. 1309.

The King lavishes money on Gaveston, and reduces the Queen to absolute need.

The barons now became so enraged, that they threatened to rise in rebellion against the King, if he did not banish Gaveston. The King, however, instead of yielding to their just complaints, consulted Gaveston as to what he should do, and, by his advice, he sent over to his dominions in Gascony for soldiers. Three hundred horse were accordingly sent forth from thence, to march through France on their way to England. But the King of France, moved doubtless by his daughter's complaints, refused to allow them to pass through his kingdom, and they were therefore obliged to return. At length, the King was forced to yield, and, at a Parliament held on the 16th of March, in the following year, he agreed to the appointment of a Committee of "Ordainers," to reform the kingdom. The oath which they took to the King was "that their ordinances should be made to the honour of God, to the honour and profit of his holy Church, and to the honour of us, and to our profit, and to the profit of our people, according to right and reason, and the oath which we took at our coronation."[20]

The barons threaten rebellion.

A.D. 1310. The King yields.

"Ordainers" appointed.

Edwd. II. A.D. 1311. The ordainers consisted of one archbishop, six bishops, eight earls, and six barons.[12]

It may be thought that this appointment of a Committee of Ordainers, was a violent means of redressing the grievances under which the barons were suffering, but experience had shown that no less resolute measures would be of any avail, and it was more reasonable than an appeal to arms. In principle it was similar to the proceedings which resulted in Magna Carta; and, indeed, the Reform Bill of A.D. 1830, may be looked on as a modern result of a 'Committee of Ordainers.' The Ordinances of A.D. 1311 do not lay down general principles, such as are to be found in Magna Carta, for their object was rather to compel obedience to existing, than establish new principles for the security of liberty, nor do they, like the Reform Bill of A.D. 1830, attempt to adapt the admitted principles of government to the exigences of advancing civilisation; but they are, nevertheless, entitled to our approval, as the result of peaceable measures to counteract the tyrannic folly of the King.

The King invades Scotland, In September the King invaded Scotland; but Bruce utterly despised him, and said "that he was more afraid of the bones of his father, even when dead, than he was of the son, though living; and it was much more difficult to get half a foot of land from Edward the First, than a kingdom from his successor."[10]

Edward had some trifling successes, but gained no lasting victory. When winter came on, early in November, he retired to Berwick, and the Scots, at once, regained all they had lost during the previous two months.

Edwd. II.
A.D. 1311.

The King remained at Berwick, with his Queen, till the end of the following July, when he returned to London, sending Gaveston to invade Scotland by the East Coast, across the Firth of Forth to Perth, while the Earls of Gloucester and Surrey tried to possess themselves of the Forest of Selkirk. These expeditions had but little success.

but returns without success.

Edward returned to London at the request of the Ordainers, who had completed their task, and who now called on him to hold a Parliament, to confirm their ordinances. The Parliament met accordingly on the 8th of August, when the ordinances were confirmed. They appear to have been most just and reasonable, and related principally to measures for preventing the waste of the revenue, for repealing excessive duties on wine, wool, hides, &c., and securing that the customs duties should be collected by subjects, and not farmed out to foreigners, such as the Italian brothers Frescobaldi; for preventing the reckless granting away of Crown property to favourites, and the arbitrary interference with the course of justice.

Ordinances confirmed.

Their just character.

The Parliaments in those days did not restrict themselves to the granting of taxes and making of laws, but were also, to a great extent, courts of justice and appeal.[21] With a view, therefore, to the securing the most upright and speedy administration of justice, it was ordained, in the 29th clause, that "Inasmuch as many people are delayed of their demands in the King's Court (that is, the King's Bench), because the parties allege they ought not to answer the demandant without the King's consent, and also many of the people are grieved by the King's officers against right, of which grievances they can have no redress, but by frequent Parliaments; for remedy hereof be it

Parliament not only granted taxes and made laws, but were courts of justice and appeal.

Edwd. II. A.D. 1311.

ordained that the King hold a Parliament once every year, or twice if there be need, and in convenient place; and in those Parliaments, the Pleas which had been so delayed, and those wherein the Justices should be of divers opinions, should be recorded and determined." It was also ordained that the Great "Charter be kept in all its points," that the Chancellor, and other of the King's officers, should be appointed by Parliament, and that Gaveston should be banished the kingdom for ever. The reasons for Gaveston's banishment were set forth most elaborately, and show that the King had indeed lavished favours on him most excessively, to the prejudice of his own subjects. Finally it was ordained that one bishop, two earls, and two barons should be appointed in every Parliament, "to hear and determine all the complaints of those that will impeach the King's ministers, whosoever they are, for doing anything contrary to these ordinances." [43]

Gaveston again banished.

One would have thought that the solemn and important arrangements, made by these ordinances, would have roused the King to a sense of his duty, but we shall soon see that he was "irreclaimable." [44]

In compliance with the ordinances, Gaveston went to France in the beginning of November, A.D. 1311, but he soon left that country for Flanders, thinking himself not safe in France, "because that the King hated him on the Queen his daughter's account." [45]

The King agrees to the Ordinances, but treacherously.

The Parliament which confirmed the ordinances sat for nearly two months, having great difficulty in bringing the King to agree to them: at last he did so, but "only under a private protestation against them, to the effect that, if they contained anything to his damage or prejudice, or contrary to

the Commission granted to the Ordainers, all such things should be looked upon as not granted or confirmed by him." [46] Edwd. II. A.D. 1311.

At the barons' request, they were then allowed to return to their own countries, but they were reassembled at the end of November. They threatened then to come armed, having no confidence in the King's observing the ordinances [47], but they were forbidden to do so by the King. In the meantime Gaveston found himself "uneasie" [48] in Flanders, and was bold and foolish enough to return to England. The King, expecting his return, again prorogued the Parliament, and went to York to meet him. He kept his Christmas there, in company with Gaveston and other foreigners. This greatly disgusted the Queen and the barons, who "now saw the King to be irreclaimable." [49] Edward tried to justify his reception of Gaveston, by the fact of his having protested against the ordinances, and in February (A.D. 1312) he issued declarations to all the sheriffs in England, stating that Gaveston had been banished contrary to law, and commanding them to restore to him his lands, with the profits thereof. Finding that these declarations produced no effect, he offered to treat with the barons concerning the ordinances. This they of course refused, and banded themselves together to resist the King. They did this very unwillingly, being "loath to raise a civil war against the King. Yet when they had considered the dangers on both sides, and found that so long as the favourite lived, the kingdom could have no peace, nor the King any money, nor yet the Queen enjoy his conjugal affection, they at last resolved to endure the worst that could happen," [50] rather than submit. They again held

Gaveston returns from exile.

A.D. 1312.

The barons band themselves together to resist the King.

Edwd. II. A.D. 1312.

"tournaments in several places, to get each a body of knights together, with as little suspicion as possible."[11]

The Earl of Lincoln bids the Earl of Lancaster to head their resistance.

The Earl of Lincoln, "one of the most considerable of the party, as well for his birth and high offices, as for his age and experience," sent for his son-in-law, the Earl of Lancaster, grandson of Henry the Third, and cousin-german to the King, and "conjured him, in the strongest and most moving terms," to do all in his power to remove from the King's person the foreign ministers and favourites, and to procure the observance of the Great Charter, and he advised him to join heartily with the Earl of Warwick, as best able to carry on the important undertaking.[24] The Earl of Lincoln died soon after giving his son-in-law this advice, and the Earl of Lancaster then entered into a confederacy with the Earls of Warwick, Hereford, Pembroke, and Arundel, to bring the King to reason.

They demand the surrender of Gaveston.

The end was now approaching, but the King was too infatuated with love for his wretched favourite to discern the signs of the coming storm. The barons sent respectfully to the King, who still remained at York, to demand that Gaveston should again be

The King and Gaveston flee to the North.

banished, or delivered up to them. The King took no notice of their demand, but fled with Gaveston to Newcastle-on-Tyne, taking the Queen with him. The barons, having raised an army, marched towards that city, whereupon the King, not daring to trust the garrison, fled with Gaveston to Scarborough, "which he deemed his best fortress in the north,"[25] leaving the Queen at Tynemouth, notwithstanding her entreaties and tears. He left Gaveston at Scarborough,

The King takes Gaveston to Scarborough.

and then went on to York, in the vain hope of raising forces to resist the barons. The barons entered Newcastle on the very day that the King and Gaveston

escaped from it, and seized whatever was left there by them, for their haste had not permitted them to carry away anything. In Gaveston's baggage were found many jewels belonging to the crown, of which an exact inventory was taken, that an account might be given of them thereafter. As soon as the Earl of Lancaster was informed of the King's departure from Scarborough, and of his leaving Gaveston there, he sent the Earls of Pembroke and Warren to besiege that castle, while he himself marched with the rest of his army towards the centre of the kingdom, so as to frustrate any attempt of the King to raise an army for the relief of Scarborough. Pembroke and Warren soon compelled Gaveston to surrender himself a prisoner to them, on condition of his life being spared. He was committed to the care of the Earl of Pembroke, who carried him towards Wallingford, Gaveston's own castle, where he intended to keep him in safety, till it was settled what should be done with him. When, however, he arrived at Deddington, about four miles from Banbury in Oxfordshire, the Earl of Warwick availed himself of a temporary absence of the Earl of Pembroke, to seize Gaveston, and carry him off to Warwick Castle. "The black dog of the wood" was glad to have an opportunity of using his teeth. Gaveston was put to a kind of trial, but no pretence of its legality can be set up. He was, of course, condemned to be executed, and the sentence was carried into effect without delay.

Edwd. II. A.D. 1312.

Scarborough besieged by the barons.

Gaveston surrenders himself,

and is carried off to Warwick Castle.

"No man's death was ever attended with so much rejoicings as Gaveston's throughout all England," but it cannot be denied that the execution was a murder, and although perhaps to some extent excusable, it was certainly impolitic. It is to be regretted that law

Gaveston put to death,

Edwd. II. A.D. 1312.

and justice were not allowed to take their course, in which case, the result would probably have been the same, so far as Gaveston was concerned, but the effect on the King, and on the nation, would have been widely different, and the destiny of the barons themselves would, probably, have been a permanent triumph, instead of an untimely ruin.

and buried at King's Langley.

Gaveston's body was buried, by the Friars Preachers, in their church in Oxford; from whence, it was afterwards removed to the new church at King's Langley in Hertfordshire, the King himself placing with his own hands two palls of cloth of gold on the tomb.[22]

The King evades the ordinances.

It seems that, although the King had agreed to the ordinances, yet they were not practically acted on, for the barons now again demanded that they should be confirmed, and put in execution. Not receiving any satisfactory answer from the King, the barons assembled their forces at Dunstable, with the view of proceeding to London, where the King then was, and compelling him, by force of arms, to yield to their demands. The King got frightened, and sent his nephew, the Earl of Gloucester, with certain bishops, and two nuncios, or ambassadors, from the Pope, to treat with the barons, at Wheathampstead near St, Albans, whither they had advanced. "The King, on his part, promised to grant a general pardon to them, and to all their adherents, reserving power to grant the like to those that had favoured Gaveston's return."[26]

The barons collect their forces.

Unsatisfactory reconciliation with the King.

A reconciliation was effected on this most unsatisfactory basis. The King yielded nothing. The barons, however, probably felt that they had gone too far in executing Gaveston without trial; and thought

that, by his death, they had gained enough. But their conduct shows a great want of foresight and of consistent perseverance. Edwd. II. A.D. 1312.

"The barons punctually performed their word in restoring whatever was seized at Newcastle, but Edward was not so sincere. He delayed publishing the general pardon for a year, and, during that space, used all means to draw the Earl of Lancaster to court. But what safe conduct soever he offered him, it was not possible to persuade the Earl to put himself in his power, before the pardon was proclaimed."[27]

Shortly after this reconciliation, the King's eldest son, who afterwards became Edward the Third, was born at Windsor on November 13th. Birth of the King's eldest son.

All this time, the Scots, profiting by the divisions of the kingdom, and the weakness of the King, were vexing and harassing the North of England.

The King and Queen spent their Christmas at Windsor, surrounded by foreigners, who did all in their power to prejudice the King against the barons. We thus see, that, while the realm, more and more, needed unity and strength, the King, by his folly, did nothing but increase its divisions and weakness, and thus kept preparing the way for his own tragic end.

At the end of May in the following year, A.D. 1313, the King and Queen went to France, accompanied by Hugh le Despenser, who now began to have great influence over the King, and whose son soon replaced Gaveston in the infamous affections of the King. They were invited by Philip the Fair, King of France, professedly that they might grace with their presence the festivities given on the occasion of his three sons receiving the order of A.D. 1313.

Edwd. II. A.D. 1313.

knighthood. But Philip really wished to take the opportunity of trying to reconcile his son-in-law with his subjects.[16] In this object, however, Philip did not succeed. On the return of Edward and Isabella to England, a Parliament was summoned to meet in September. At this Parliament, the King, forgetting the conditions on which he had made peace with the barons, set up complaints against them for putting Gaveston to death. The Earl of Lancaster, who came "with a great number of armed attendants, raised from his own tenants,"[51] and with other barons, answered, that they had only destroyed a public enemy, and they further declared that they would no longer trust the King. Peace, however, between the King and the barons was soon restored, but again on terms humiliating to the barons. They agreed to humble themselves before their Sovereign, and beg his pardon; while the King, on his part, only promised that "he would no longer question any man for the death of Gaveston."[52]

Renewal of quarrels between the King and the barons.

It is difficult to find a sufficient cause for the barons yielding in so humiliating a manner. They gained absolutely nothing from the King, except an escape from the possible penalties of the murder of Gaveston by some of them. But, having gone so far, they should not have drawn back, until they had compelled the King to govern his people as law and justice required. The King on the other hand gained everything, or seemed to do so. He humbled the barons and granted nothing but pardon for a crime which he would not then have dared to punish.

In the following year, A.D. 1314, the King invaded Scotland in great force, but suffered so complete a

defeat, that Bruce became thereby firmly seated on his throne. Edwd. II. A.D. 1314.

War with Scotland.

I must now describe the wars waged between England and Scotland, since the beginning of the reign of Edward the Second, but glancing back, occasionally, at what happened at the same time in England, in order that you may understand the relation the different events bore to each other. War with Scotland.

When Edward, at the beginning of his reign, returned to England with Gaveston, he dismissed the Earl of Pembroke from the government of Scotland, and appointed, in his stead, John de Bretagne, Earl of Richmond, nephew of the late King. A large army was collected, and orders were sent to the sheriffs of London to transport "to Berwick the provisions, military stores and arms requisite for the troops, with certain large crossbows, called *balistæ de turno*, employed in the attack and defence of fortified places." [31] (A.D. 1307.) Events in Scotland at the beginning of Edward's reign.

The Earl of Richmond, at the head of this army, attacked Bruce and compelled him to retreat to the North of Scotland, where, however, he does not appear to have been followed by the English. But some of the Scottish nobles, the chief among them being Bruce's mortal enemy John Comyn, Earl of Buchan, prepared to attack him. At this time Bruce was grievously ill, but he roused all his energies to meet Comyn, who had been joined by his own nephew Sir David de Brechin, and, although so weak as to be obliged to be supported on horseback by a squire on each side, he led on his men, and put his enemies to flight. Bruce's army now increased rapidly, (A.D. 1308.)

Edwd. II. A.D. 1314. Events in Scotland at the beginning of Edward's reign.

and he laid siege to and took the castle of Aberdeen, and obtained other successes. King Edward, thinking doubtless that his defeats were owing to want of skill on his general's part, dismissed Richmond from his office, and appointed Robert de Umfraville, Earl of Angus, William de Ross of Hamlake, and Henry de Beaumont, joint governors of Scotland in his stead.

Bruce had, by this time, reduced great part of the North of Scotland to submission, but the South still resisted his authority, and he therefore sent his brother Edward to bring it under subjection. By (A.D. 1308.) the middle of June (A.D. 1308) Sir Edward Bruce had expelled the English entirely from Galloway, and the gallantry of his exploits rivalled, if they did not equal, those of his brother. The victory, by which Bruce finally drove out the English, was gained over Sir John de St. John. The English were in number fifteen hundred, while Bruce's army was far inferior in force, but he supplied, by stratagem, what he lacked in strength. Bruce found out, by his scouts, that the English intended to make a forced march, and take him by surprise. He accordingly placed his foot soldiers in a narrow valley, strongly fortified by nature, and early in the morning, under cover of a thick mist, he set forth at the head of fifty knights on horseback, and gained the rear of the English. His intention was, to allow the English to attack his foot soldiers, and, while this was going on, to rush on them from behind and throw them into confusion. With this view, he and his knights followed the English army silently and stealthily, about a bow-shot distance in their rear. The mist cleared off before these plans could be

fully accomplished, but the English were amazed at finding a body of hostile cavalry at their heels. Not a moment was to be lost. Bruce charged the English furiously, and they, never dreaming but what the Scottish troops were only the advanced guard of a larger force, were quickly thrown into confusion and utterly defeated. Edwd. II. A.D. 1314. Events in Scotland during the early part of Edward's reign.

In the meantime Robert Bruce continued successful in the North of Scotland; while Edward's armies, although supported by a large party of Scotch malcontents, met only with reverses. Bruce's early and stedfast friend, Sir James Douglas, reduced Selkirk and Jedburgh to obedience, and shortly afterwards joined his forces with those of Bruce. (A.D. 1308.)

Bruce now felt himself strong enough to take revenge on the Lord of Lorn, a district of Argyleshire, who had pursued him so relentlessly and so nearly with success in the year before. He determined, accordingly, to invade his territories. To reach them, he had to pass through a narrow and rugged defile, called the Pass of Awe, bounded on one side by Loch Awe, and on the other by a steep mountain called Ben Cruachan. The Lord of Lorn, knowing that Bruce's soldiers must pass through this defile, placed his men in ambush on the side of the mountain, ready to hurl down rocks and stones on them, as they passed beneath, and then, having thrown them into confusion, to rush down and overwhelm them. But Bruce heard of their plans, and, unknown to the men of Lorn, placed some of his soldiers above them on the mountain, under the command of Douglas. When Bruce entered the pass, the men of Lorn attacked him with great fury, but, as the attack was expected, Bruce's soldiers were able to resist it successfully. While

Edwd. II. A.D. 1314.

the fight was going on in the pass, Douglas and his men rushed down from the mountain heights, surprised and defeated the foes in ambuscade, and then joined with Bruce in putting the men of Lorn to rout.

Events in Scotland during the early part of Edward's reign.

It was whilst Bruce was thus daily gaining more extensive sway in Scotland, that the King of England was grieving over Gaveston's exile, plotting his return, and so misgoverning his own kingdom, that he was compelled to submit to the appointment of the "Ordainers" to reform abuses.

(A.D. 1310.)

The Scots, on the other hand, roused by Bruce's successes to a due appreciation of his claims on their obedience, now recognised him as their lawful King, at a general council of the prelates and clergy held at Dundee on the 24th February A.D. 1310. Bruce now laid siege to Perth, and at last Edward, glad to escape from the Ordainers, and hoping by victory to divert the minds of the barons from their projects of reform, roused himself to energetic action, and in September invaded Scotland in person. But, after all, he gained no success of any value, for Bruce, relying on the tactics which had proved so successful on former occasions, avoided any general battle, and retreated before the English, laying waste the country behind him as he went. Edward therefore could reach no enemy to conquer, could get no food for his soldiers, and was consequently obliged to withdraw, baffled, to Berwick, where he spent the winter.

Early in the following year, Edward was obliged to return to London to confirm the "Ordinances," and he therefore sent Gaveston, who had come back from exile, to invade the eastern parts of Scotland. Bruce, despising the King, and his substitute, carried

Edwd. II.
A.D. 1314.

the war into England itself, thus becoming an invader, instead of standing on the defensive. He ravaged the northern counties, with such fury, and carried off so much plunder, that the Lords Marchers of those counties were glad to purchase a truce. On his return to Scotland, from this successful foray, Bruce laid siege to Perth, which still remained in the hands of the English. It resisted his attacks for six weeks, but at last he took it by stratagem. Perth was fortified with a high wall, defended at intervals by stone towers, and surrounded by a deep moat full of water. Bruce found out where the water was shallowest, and then, striking his tents, marched off as if he had given up the siege. But, after eight days, he returned in the night, provided with scaling ladders, and reached the moat, undiscovered by the garrison. It was the depth of winter, but Bruce, carrying a ladder in his own hands, and fully armed, led his soldiers through the water, which reached up to his throat. He felt his way with his spear, waded safely through, and was the second man who fixed his ladder and mounted the wall. The garrison were completely taken by surprise, and Bruce gained possession of Perth, almost without a blow, on the 8th of January A.D. 1312.

Events in Scotland during the early part of Edward's reign. (A.D. 1311.)

(A.D. 1312.)

The King of England was now in the midst of his direst troubles with the barons, and it was in this year that Gaveston was put to death. Edward therefore had too much to do at home to be able to give much heed to the war in Scotland. But he continually wrote letters to the governors of those castles which still remained in the hands of the English, to encourage them to hold out. These feeble efforts were of no avail, and the King tried therefore to bring

Edwd. II. A.D. 1314.

Events in Scotland during the early part of Edward's reign. (A.D. 1312.)

about a truce, but Bruce would not listen to his proposals, and again invaded England, with greater fury than before. The inhabitants of Durham were glad to purchase a truce for themselves by the payment of 2,000*l.*, equal to nearly 7,000*l.* of the money of our time, but Bruce made it a condition that, whenever he chose to invade England, he might take his troops through Durham without opposition. The counties of Northumberland, Cumberland, and Westmoreland, each, willingly paid 2,000*l.*,* to be included in the same truce. On his way back to Scotland, Bruce tried to take Berwick by surprise, but did not succeed. His friends had, however, some important successes, attended by romantic adventures. Linlithgow castle was taken by a very small party of Scotch soldiers, by means of a stratagem. Eight armed men hid themselves in some hay, which was being taken into the castle, and when the wagon stood under the portcullis, or sliding gate, and thus prevented it being let down, they leapt out from their hiding place, and rushed into the castle. They were instantly joined by a party of armed men, who had been lying in ambush on the outside, and the garrison were so completely taken by surprise, that they were quickly overcome.

The castle of Roxburgh, a place of great importance, was taken by Sir James Douglas by another stratagem. It was just before Lent, and the officers and soldiers were carelessly carousing and enjoying themselves in the evening before fast time came. Douglas stealthily approached the castle, accompanied by about sixty men, their armour covered with black frocks.

* See note at p. 416 as to comparative value of money.

They crept along, on their hands and feet, among the trees surrounding the castle, and at last got so close to it, that, owing to the darkness of the night, they could overhear the talk of the sentinels, without being seen. But the sentinels saw some objects moving, which they thought were cattle; and one of them was heard saying to another that "Yonder oxen were late left out." This gave Douglas' men confidence, and they crept quietly on, till at length they got to the walls, and fixed their rope ladders without being discovered. No sooner, however, had they mounted the walls, than the sentinels heard a noise, and went to see what it was. They were stabbed one after another, and before the alarm could be raised, Douglas and his men rushed into the hall where the officers were feasting. They raised their terrible war-cry of "A Douglas, a Douglas!" and overcame them with great slaughter.

Edwd. II. A.D. 1314. Events in Scotland during the early part of Edward's reign. (A.D. 1312.)

The castle of Edinburgh was taken by a different stratagem. It is situated on the summit of a very high and steep rock, and was strongly fortified. The rock was so steep as to be almost inaccessible. Bruce's party had laid siege to this castle, without success, for six weeks, when at last a soldier pointed out to them a part of the rock where, in his youth, he had climbed up and down, to visit a girl whom he loved. Randolph, Earl of Moray, who commanded the besiegers, determined to attack the castle by that route, and, in the night, accompanied by thirty men, fully armed, he managed to scale the rock. On their way up, they were startled by a false alarm. They were resting underneath an overhanging crag, listening to the talk of the soldiers in the castle, when they heard one of the sentinels, who, pretending he saw some one,

Edwd. II. A.D. 1314.

and but little thinking that enemies were really near, threw down a stone, and called out, "Away, I see you." But the Scots lay still, and the sentinels moved off, evidently without suspicion. The invaders kept on, and at last clambered over the wall. The garrison, however, was not taken by surprise so completely as that of Roxburgh, for the assailants were immediately seen, and the shout of treason roused them to arms. A desperate fight ensued, but at last the castle was taken.

Events in Scotland during the early part of Edward's reign.

(A.D. 1313.) Siege of Stirling.

The almost inaccessible castle of Stirling was nearly the last fortress of importance which still held out against the Scots, and Bruce's brother, Sir Edward Bruce, now laid siege to it. Its governor, Philip de Mowbray, was hard pressed, and feared his garrison would be starved out before it was possible to get help from England. He therefore concluded a truce with Sir Edward Bruce, on the condition of surrendering the castle by the 24th of June, the feast of St. John the Baptist, in the following year, if it were not previously relieved by an English army. Bruce justly blamed his brother for making so disadvantageous an agreement, but he did not attempt to break it.

(A.D. 1314.)

King Edward, having made a kind of peace with his barons, was now able to turn his mind seriously to the war with Scotland. Had he not now roused himself from his supineness, he would, in fact, have left Scotland to its fate. But, on learning De Mowbray's agreement about Stirling Castle, he made immense preparations for its relief. He summoned the whole military force of his kingdom to meet him at Berwick on the 11th June A.D. 1314. To this general muster ninety-three barons were commanded to repair with horse and arms, while the different

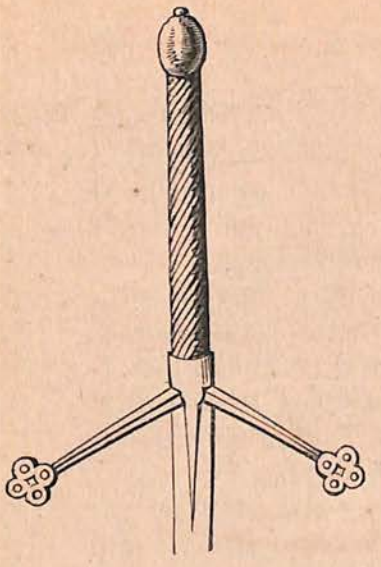
Edward prepares for its relief.

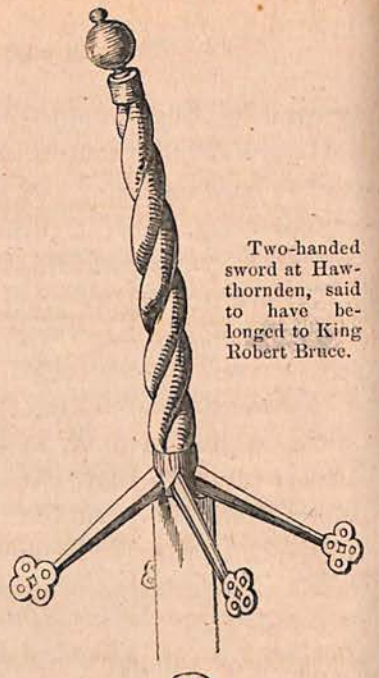
counties of England and Wales were ordered to raise a body of 27,000 foot soldiers. The whole army is said to have exceeded 100,000 men, of whom 40,000 were cavalry, 3,000 of these being, man and horse, in complete armour, and 50,000 were archers. Edwd. II. A.D. 1314.

Edward reappointed the Earl of Pembroke governor of Scotland, and sent him thither to prepare for his own arrival. He directed letters to O'Connor, Prince of Connaught, and twenty-five other Irish native chiefs, in like manner, to attend with their vassals. A fleet of above fifty ships was appointed to cooperate with the army; ample stores of provisions for the troops, and forage for the horses, were collected from all quarters; smiths, carpenters, masons, and armourers joined the great array; and numerous wagons and carts, for the conveyance of the tents, pavilions, and baggage, formed a necessary part of the well-appointed army. Preparations for the relief of Stirling Castle.

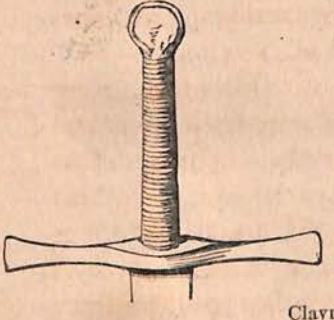
Four barons, Warrenne, Lancaster, Arundel, and Warwick, refused to attend in person. Their reconciliation with the King was so humiliating to themselves, and on both sides so evidently hollow, that they could not heartily join. But they sent their vassals to the army, and the King, after making a pilgrimage with the Queen and with his son to St. Albans, reviewed his troops, and marched forth for Scotland in high spirits. Lancaster and three other barons refuse to attend in person. Edward marches.

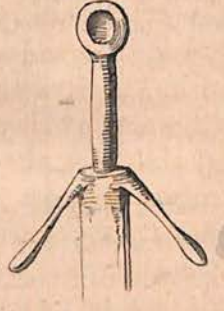
Bruce, on his side, was not idle. But he found he could not muster above 40,000 fighting men, and his horses were not equal to those of the English. He therefore determined to fight principally on foot, and to choose ground where the English cavalry could not act with advantage. His soldiers were armed with battle-axes, long spears, knives or daggers, and bows and arrows. The formidable weapons, called Bruce's preparations for resistance.



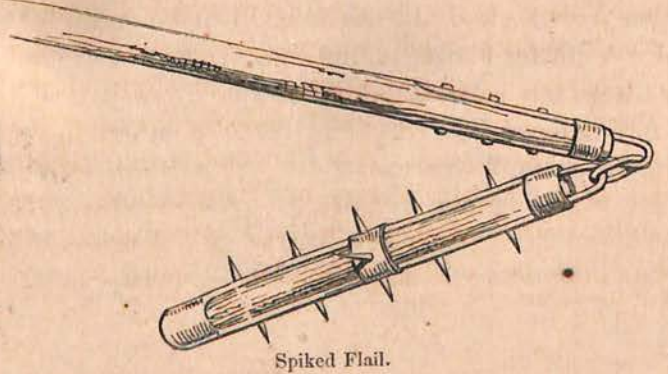


Two-handed sword at Hawthornden, said to have belonged to King Robert Bruce.

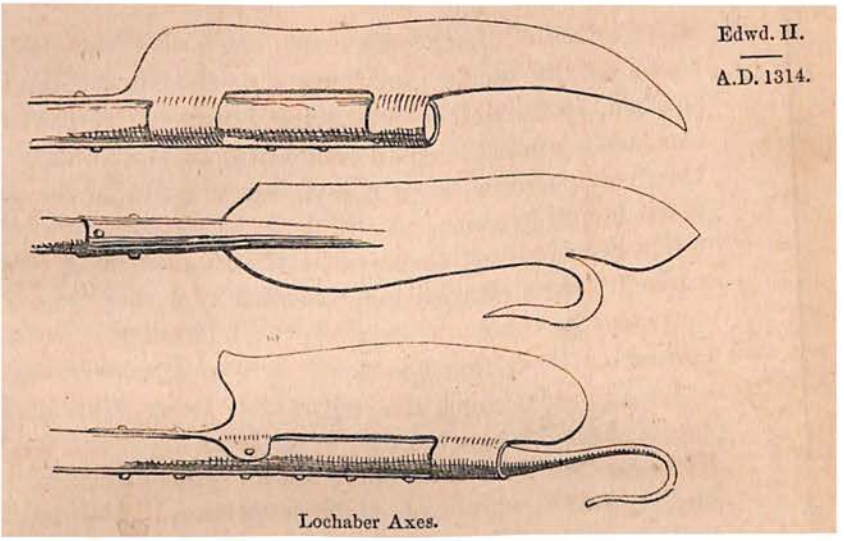




Claymores.



Spiked Flail.



Lochaber Axes.

Lochaber axes, spiked flails, and claymores, represented in the accompanying illustrations, are, however, said to have been also used at the time.*

Topography of country round Stirling.

Stirling is situated on the south side of the river Forth, which winds round it, in a very devious course, on all sides but the south. On the north and east this river formed in those days a strong natural defence of the town; but on the west it was not near enough to protect it. The castle, however, stands on a precipitous rock, which is, for all military purposes, inaccessible on the western and southern sides. The only side therefore from which a successful attack could be made, was the south-east. It was from that side that the English were approaching, but they could reach the castle only by crossing the little river Bannock. The Bannock, from Milton Marsh as far as the village of Bannockburn, runs through a deep ravine, which the English could not

* The illustrations of ancient Scottish weapons are engraved from drawings made by James Drummond, Esq., R.S.A.

Edwd. II. A.D. 1314. pass in face of the Scotch army; below the village it turns to the north, and flows into the Forth. The ground, in this direction, lying between the Forth and the Bannockburn, was a level marsh, unfit for the passage of a large army, but practicable for a small body of troops.

Bruce disposes his forces according to the nature of the ground.

Bruce therefore, seeing that the English must advance by the Falkirk road, expected that they would cross the Bannock at a ford on the Kilsyth road, and consequently posted his army across it, on sloping ground to the north of the Halbert and Milton Marshes. The right of his army rested on a deep marshy hollow, lying on the west and north sides of the Coxe Hill, and through which ran a little stream. The left rested on the Bannock, at Milton Mill, where the river runs through the deep ravine already mentioned. In order, however, to strengthen his position still further, he caused a number of pits to be dug in the ground from the Halbert Marsh to the marshy hollow under Coxe Hill. In these pits sharp stakes were placed, and they were then covered over with turf. On the Coxe Hill, Bruce placed a body of men, to observe the movements of the enemy, and to resist any treacherous attack from Stirling Castle, the garrison of which was bound by the truce to take no part in the battle. Lastly he placed a body of wild undisciplined Highlanders with the sutlers and camp followers, concealed in a valley which divides a hill called the Gillies' Hill from east to west. These men might be very useful in an irregular fight, or in case of any reverse to Bruce's army, but would have done more harm than good in a well-arranged plan of battle. His reserved forces were placed in the rear.

Bruce having thus made all his plans with great

skill, reviewed his troops, and declared himself well satisfied with their appearance and equipment. The leaders of his army were, his brother, Sir Edward Bruce; Sir James Douglas; Randolph, Earl of Moray; and Walter, the High Steward of Scotland. To them he fully explained his intended order of battle, and then quietly awaited the approach of the enemy. He soon received intelligence that the English had lain all night at Edinburgh. This was on Saturday the 22nd of June. On the following day, Sunday, the soldiers heard mass and confessed themselves with great solemnity. They were fully impressed with the importance of the coming fight, and of the superior numbers likely to be opposed to them, but they were determined to overcome the English or die in the attempt.

Edwd. II. A.D. 1314. Bruce reviews his troops and waits the approach of the English.

Bruce now, expecting the approach of the English, arranged his army in order of battle. He divided his soldiers into three masses, and a reserve. Sir Edward Bruce commanded the right division; Sir James Douglas, and Walter, the Steward, the left; Randolph the centre; and Bruce himself took charge of the reserve, placing himself on a hill called the Caldon Hill. He fixed the staff of his standard into a massive stone in front of the reserve. This stone still remains in its original position.

His order of battle.

Bruce then sent out messengers to reconnoitre, and they soon returned saying, that the English army was advancing in great strength, and making a very warlike appearance. Edward was evidently well informed of the position of Bruce's army, and saw, that, if a body of cavalry could cross the Bannockburn, to the left of the Scotch, he might get to their rear, enter Stirling, relieve the garrison, and thus

Approach of the English.

Edwd. II. A.D. 1314.

enable them to take part in the battle. Bruce had seemingly relied on the marshy nature of the ground, beyond the ravine through which the little river flowed, as a sufficient protection to his army, and had made no preparation to resist this flank movement.

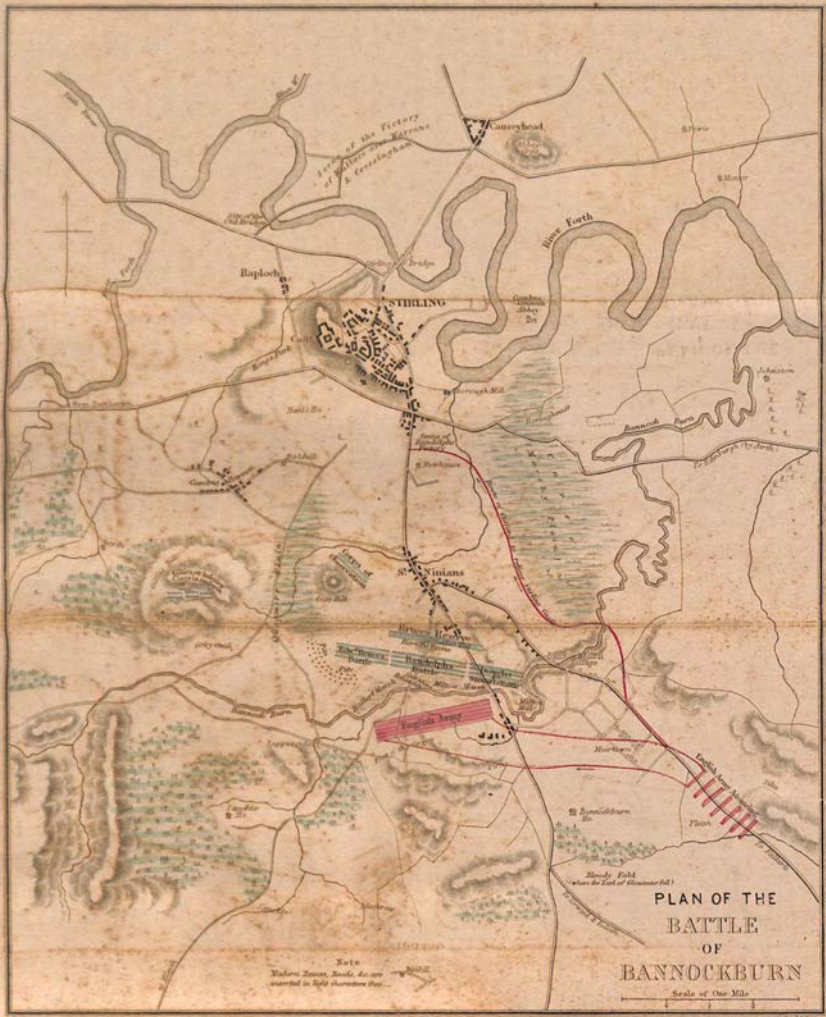
Edward orders Sir Robert Clifford to try to get to the rear of the Scotch.

In order therefore to gain the rear of the Scotch army, Edward, early in the morning, had sent forward a body of 800 horse, led by Sir Robert Clifford, to cross the Bannock and relieve the castle. Clifford succeeded in crossing the stream, his forces being concealed by a bank which lies on the west side of the carse, or marshy plain, and was making his way to the castle, when Bruce discovered the movement of his troops, and despatched Randolph with a select body of foot soldiers to intercept them. So soon as Clifford saw the approach of the Scotch, he ordered his soldiers to wheel round and charge. Randolph formed his men into a square, and received the shock of the English horse without wavering, and at length, after desperate attempts on the part of the English, and determined resistance on the part of the Scots, the English were compelled to retreat.

He is repulsed.

Single combat between Bruce and de Boune.

In the meantime, the English army had steadily advanced, till Edward ordered a halt, to consult with his leaders, whether they should give battle at once, or wait till the following day, in order to let the soldiers have a night's rest. By some mistake the English centre continued to advance, and Bruce, therefore, rode forward to make some fresh arrangements. An English knight, Sir Henry de Bohun, or Boune, well mounted, seeing that Bruce was alone, rode forward to attack him. Bruce was mounted only on a weak horse, but was too brave to shun the conflict. The English knight galloped forward at great speed, charging with his lance, but Bruce parried the attack, and as the knight


PLAN OF THE
BATTLE
OF
BANNOCKBURN
Scale of One Mile
Edwd Weller
Causeyhead
River Forth
Raploch
STIRLING
Bannock Burn
St. Ninians
Bruces Reserve
English Army
Bannockburn Ho.
Bloody Field
(where the Earl of Gloucester fell)
Note
Modern Zones, Roads, &c. are inserted in light characters thus...
London Longman & Co.

passed him, he raised his battle-axe and with one blow laid him dead at his feet. Edwd. II. A.D.1314.

"High in his stirrups stood the king,
And gave his battle-axe the swing.
Right on De Boune, the whiles he pass'd,
Fell that stern dint — the first — the last! —
Such strength upon the blow was put,
The helmet crashed like hazel-nut;
The axe-shaft, with its brazen clasp,
Was shivered to the gauntlet's grasp.
Springs from the blow the startled horse,
Drops to the plain the lifeless corse;
— First of that fatal field, how soon,
How sudden, fell the fierce De Boune."
SCOTT'S *Lord of the Isles*, canto 6, 15.

The Scotch now rushed forward with great fury, and drove back the English in confusion; but Bruce, fearing to disarrange his order of battle, called his soldiers back, and both sides tacitly determined to delay the battle till the next day. Battle deferred to the next day.

On the following morning, Monday, June 24th, the Scottish King confessed, and, along with his army, heard mass, and the soldiers then arranged themselves in battle-array. The English advanced, led on by the King in person, who had with him a chosen body-guard of 500 horse. As they approached, the Scotch all knelt down, in reverence to a crucifix carried through their ranks by the Abbot of Inchaffray. "See," cried Edward, "they are kneeling; they ask mercy." "They do, my liege," answered Sir Ingram Umfraville, "but it is from God, and not from us. Trust me, yon men will win the day, or die upon the field." "Be it so, then," replied the King, and ordered the charge to be sounded. The English, owing to a dispute among their leaders, charged irregularly, but with great fury. The Scotch received their attack with steady The battle of Bannockburn begins.

Edwd. II. A.D. 1314.

courage, and the English fell in great numbers. But the Scotch were terribly galled by the showers of arrows poured upon them by the English bowmen. Bruce therefore ordered Sir Robert Keith to take a body of 500 horse, the only cavalry in the Scotch army, round Milton Marsh, and charge the English archers. The archers had no weapons but their bows and arrows, and their quivers being emptied, they were unable to resist the attack of the Scotch cavalry, and fled. Bruce now saw signs of wavering among the English, and, bringing up his whole reserve, charged the English with his entire army in one line.

Defeat of the English;

At this critical moment, by Bruce's orders, the Highlanders made their appearance on the top of Gillies' Hill, and the English, supposing them to be a fresh army advancing to the attack, fled in confusion. This last charge of Bruce decided the fate of the day, and the Scots now obtained a complete victory over their opponents. Thirty thousand of the English are said to have been left dead on the field, but Edward escaped in safety, and took refuge in Berwick.

its consequences.

It was still many years before the wars between England and Scotland ceased, but the battle of Bannockburn had the effect of securely establishing Bruce and his successors as kings of Scotland.

Bruce invades England.

After the battle of Bannockburn, Bruce, profiting by the dejection of the English, again carried the war into England, penetrating to the very heart of Yorkshire, and returning loaded with spoil. Edward did not attempt resistance in person, but issued writs for the muster of a new army. "Before however a single horseman had put his foot in the stirrup," Bruce had again invaded England and plundered the north country. Bruce had previously tried to bring about a truce with England, but Edward was not

disposed to make the concessions demanded by Bruce, and the attempt failed. In the following year, Bruce again invaded England; and Carlisle, Newcastle, and Berwick were the only cities of refuge in the northern counties where there was security for property. Edwd. II. A.D. 1315.

The Scots now began to feel that they need but little fear the attacks of the English, and, accordingly, they turned their minds to the settlement of various matters of importance to the stability of their kingdom. The succession to the throne was settled, and shortly afterwards Bruce's daughter Marjory married Walter, the hereditary High Steward of Scotland, from whom descended the Stewarts, who, three centuries later, became the kings of both England and Scotland. Settlement of succession to throne of Scotland.

Domestic History.

During the two years which followed the fatal battle of Bannockburn, nothing, of national importance, took place in England. Short Parliaments were frequently held, to consider what steps should be taken to protect the North of England from the never-ending ravages of the Scots. But the weak character of the King, and his continual quarrels with the barons, prevented anything effectual being done. These Parliaments, however, had to attend to home affairs of some importance. The seasons had been very unfavourable to the growth of the crops, and the drain on the country for soldiers had much interfered with the proper cultivation of the soil. The result of these combined causes was a great scarcity of food, amounting almost to famine. Distress in England from failure of crops.

Parliament therefore, not having learnt by experience that the prices of provisions, and all other articles, are regulated by the extent of demand for them, and Parliament tries to settle prices of provisions,

Edwd. II. A.D. 1315. the power of supplying that demand, passed an Act in the spring of A.D. 1315 to settle what the prices of articles of food should be.* It was settled "that the best ox, not fed with grain, should be sold for 16*s.*, and no more; and if he were fed with corn, then for 24*s.* at the most; the best live fat cow for 12*s.*; a fat hog of two years old for 3*s.* 4*d.*; a fat wether or mutton unshorn for 20*d.*, and shorn for 14*d.*; a fat goose for 2½*d.*; a fat capon for 2*d.*; a fat hen for 1*d.*; two chickens for 1*d.*; four pigeons for 1*d.*; and 24 eggs for 1*d.*; and those that would not sell these things at these rates, should forfeit them to the King." But the consequences of this unwise legislation are thus described; "the scarcity of provisions still increased, a quarter of corn, not long after, being sold for 20*s.*, and barley for a mark, or 6*s.* 8*d.*; but the sheep having been most dead of the rot, and corn being so very dear, hogs and poultry could not be afforded to be kept, whereby all manner of fresh meats became so scarce," and food in general was so difficult to be obtained, that the King going to St. Albans about the beginning of November, had much ado to get bread to sustain his family.[53] It was soon found that this Act of Parliament was worse than useless, and consequently on the 13th of February in the following year, A.D. 1316, it was agreed "that the late statute should be revoked, and that the oxen, cows, and other victuals should be sold, as formerly, at as reasonable rates as they could be afforded."[54] The bad weather had continued, "the autumnal rains having fallen so prodigiously, that no grain could ripen, and such as there was, could not be got in, by reason of the continual wetness of the season, till the beginning of September; and it was still so moist,

but fails.

A.D. 1316.

Consequences of scarcity.

* See note at p. 416, as to the value of money.

that they were fain to dry it on kilns before it could be ground."[55] The scarcity continued during the following year, A.D. 1316, and "before midsummer a quarter of wheat was sold for above 30*s*., and by the middle of August for 40*s*.; so that the noblemen were forced to diminish their families, and many of those servants that were dismissed away, turned thieves and robbers; and this famine produced so great a mortality, that the living scarce sufficed to bury the dead, and, if the King had not issued out a prohibition, that no more corn should be turned into malt, most part of the people would have died of hunger."[56] Edwd. II. A.D. 1316.

Wars with Scotland.

Parliaments were now constantly held, to consider what should be done, to resist the ravaging Scotchmen, and to raise supplies for carrying on the war. But the King's treachery hindered any united action. Complaints were constantly made that he did not observe the Ordinances, nor the Perambulations of the Forests, nor the Great Charter. In the Parliament held in January, A.D. 1315, six months after the battle of Bannockburn, one twentieth part of moveable goods had been granted to the King, but in Staffordshire and Shropshire the people had refused to pay these taxes, because of the King's want of faith. At length, at a Parliament held in February, A.D. 1316, the King promised to observe the Ordinances, but it was insidiously added "saving to the King his reasons against them." Complaints against the King.

Although Gaveston was dead, Edward was evidently still influenced by evil counsellors, and there can be but little doubt, that a new favourite, the younger Despenser, about whose evil influence, and The new favourite Despenser.

Edwd. II. A.D. 1316.

depraved habits, we shall soon hear, had already begun to guide the weak King.

Fresh preparations for war with Scotland.

After the King's shuffling promise to yield to the demands of the Parliament, means for carrying on the war against Scotland were provided. Every town in the kingdom, "except cities and boroughs, and the King's demesnes, were ordered to furnish one stout footman, and these footmen were to be armed and furnished with sword, bows, arrows, slings, lances, and other armour fit for footmen, at the charge of the towns, and their expenses to be paid, until they came to the place of rendezvous, and their wages at 4*d.* a day, for sixty days after (but no longer), if the King's service required it." [57]

The Earl of Lancaster appointed commander of the English army, but distrusts the King, and returns home.

The Earl of Lancaster was now, at the King's request, reconciled to him, and Lancaster was then appointed general of the army which was gathered together to invade Scotland. Edward felt it was a favourable opportunity for this purpose, as Bruce was absent in Ireland. His brother, Sir Edward Bruce, had invaded Ireland in the previous year, and had landed there with about 6000 men. He had had such success that he was soon crowned king of Ireland, but, needing more soldiers, his brother Robert went over to his assistance. It was during his absence, that Edward prepared to invade Scotland. But the King's evil genius still followed him. It was agreed that the King should accompany the army, and Lancaster therefore waited for him at Newcastle-on-Tyne. Finding, however, that he did not come, and, indeed, had no intention of coming, Lancaster returned home and the army was disbanded. The Earl probably was fearful "lest the King should take the opportunity of his absence, to do somewhat prejudicial to his interest, or to revoke the Ordinances;" [58] but he

The army and Lancaster suspected of treason.

was suspected of being in league with Bruce and a traitor to the King.[12] Edwd. II. A.D. 1316.

The Scots took advantage of these fresh dissensions between the King and the Earl of Lancaster, and again invaded England, ravaging it as far as Richmond in Yorkshire. Scots ravage England.

About this time, a singular mode was adopted, to let the King know, what were the feelings of the people towards him. He was "keeping the feast of Pentecost, in the Great Hall at Westminster, and, being at dinner with the great men of his kingdom, a certain woman fantastically attired, and disguised like a comedian, came into the Hall on horseback, and, riding about the tables, had the confidence to mount the steps to that where the King sat, where flinging down a letter or paper before him, she presently departed. The King immediately caused it to be opened and read, being to this effect: *Our Lord the King may take notice, that he hath not kindly regarded those knights who served his father and himself, with their lives; but hath too much enriched others, who never performed anything considerable.* Which when the King heard, he was very much incensed, and those who guarded the door were sharply rebuked for letting her in. They excused themselves, alleging it not to be the fashion of the King's house at festival times to keep out any who came disguised in that manner, since they thought they only came to make the King sport. But, search being made for this woman, she was found, and examined who set her on, whereupon, she confessed a knight gave her money to do as she did."[59] This incident, in itself, is of no great importance, but it is a curious illustration of the manners of the times, and was one of the signs of the prevalent dissatisfaction. A.D. 1317. Singular incident showing the general distrust in the King.

Edwd. II. A.D. 1317.

Edward now endeavoured, by the help of the Pope, John the Twenty-Second, to bring about a truce between England and Scotland. The Pope issued a bull from Avignon, in France (where the Popes then resided), commanding a truce, and he sent over two cardinals to publish it both in England and Scotland. The Pope, influenced by Edward, would not address Bruce as King of Scotland, but only as Governor, and therefore it was not likely that Bruce would receive the cardinals with much courtesy. The cardinals proceeded as far as Durham, from whence they sent two nuncios, or ambassadors, to read the bull in Bruce's presence. On their way they were attacked by the lawless borderers, who had become so used to constant warfare and plunder that they were, in fact, little better than robbers. They were plundered of all their purple and fine linen, their baggage, and their horses, and then, without hurt to their persons, sent forward on their journey.

Edward seeks help from the Pope to make a truce with Scotland.

The nuncios sent by the Pope are maltreated.

On being admitted to Bruce's presence, he would not allow the letters, addressed to him as Governor, to be opened, saying, that there were many, bearing the name of Bruce, who shared, with the rest of the barons, in the government of the kingdom, and that the letters might, perhaps, be meant for them. By these and other arguments he completely baffled the nuncios, who were therefore obliged to return to the cardinals at Durham.

Bruce refuses to listen to them.

The cardinals now resolved to publish the truce in Scotland, without the leave of Bruce, and they accordingly sent Adam Newton, the father-guardian of the Minorite Friars of Berwick, to Scotland for this purpose. He had, however, no better success than his predecessors, for, although he succeeded in

The cardinals publish the truce in despite of Bruce.

declaring a two years' truce in the presence of the Scottish barons, yet, on his way back to Berwick, he was waylaid, robbed of his letters and papers, stript to the skin, and turned naked on the road. Among his papers was found a bull, from the Pope, excommunicating Bruce, which, of course, did not tend to promote peace between the two countries, and the truce, proclaimed against Bruce's will, was, obviously, not binding on him. Edwd. II. A.D. 1317.

The cardinals thus entirely failed in bringing about a peace between England and Scotland, but they effected a temporary reconciliation between the King and Lancaster. Edward, however, took no care to govern his kingdom according to the constitution, or his own promises, or to observe the ordinances. The great men of the kingdom, therefore, held themselves aloof from him, when he kept his Christmas at Westminster. Hollow reconciliation between the King and Lancaster.

King Edward now felt it necessary to meet his barons, and appointed Midsummer-day in the following year, A.D. 1318, for holding a Parliament at Leicester, at which he promised to give ample satisfaction to all the requests of the clergy and laity. On the meeting of this Parliament, he granted, "after his wonted and general manner," [60] that the ordinances should be observed, but no one had faith in his promises. A.D. 1318. The King makes promises.

The Scots, in the meanwhile, continued their ravages, and, in April, Bruce laid siege to Berwick. This was the key of England, and consequently strongly fortified. Bruce obtained possession of it, by the treachery of one of the citizens, who assisted Bruce's soldiers, during the night, in placing their scaling ladders. They thus gained possession of the Bruce takes Berwick.

Edwd. II. A.D. 1318.

town, and the castle surrendered. Bruce's usual custom was, to destroy the fortifications of the castles of which he took possession, in order to prevent their being a source of strength to the English if they recovered them. But Berwick was too important a place for Bruce to abandon, and he therefore strengthened its fortifications, and garrisoned it well. It remained in the possession of the Scots for fifteen years. Having thus secured Berwick against attack, Bruce made another raid into England, reaching again the centre of Yorkshire, and again plundering the country.

The cardinals excommunicate Bruce, who is thereby roused to greater vigour than before.

The cardinals, irritated at Bruce's contempt of their authority, now proceeded to excommunicate him, but this, far from producing intimidation, only induced him to make more vigorous exertions to strengthen his kingdom. "All men were required to array themselves for war. Every layman possessed of land, who had ten pounds' worth of moveable property, was commanded to provide himself with an *acton* and a *basnet* (that is, a leathern jacket and a steel helmet), together with gloves of plate, and a sword and spear. Those who were not thus provided, were enjoined to have an iron jack, or back and breastplate of iron, an iron head-piece, or *knapiskay*, with gloves of plate; and every man possessing the value of a cow, was commanded to arm himself with a bow and sheaf of twenty-four arrows, or with a spear." [32]

Formation of armies.

From such details as these we gain an insight into the way in which an army was formed in those days. There were, then, no soldiers by profession, who spent their lives wholly in war, or readiness for war, but every man, of a certain degree, provided himself with

weapons, and when the war-note sounded, when messengers were sent forth, gathering the people together, each man hastened to the place of meeting. The Scotch collected themselves together in their clans, under their chiefs, and the English vassals obeyed the summons of their feudal lords. The way of fighting too was very different in those days from the battles of the present time. Gunpowder was not invented, and no cannons therefore filled the air with their deafening roar, no smoke obscured the view. Showers of arrows, indeed, at times, almost darkened the sky, and tried the patient courage of those, who, at a distance, had to receive the deadly shafts without the power of resistance, even as now when the distant cannon thin the ranks. But, as a rule, each soldier fought hand-to-hand with his adversary, and closed with him in personal and mortal combat.

Edwd. II. A.D. 1318.

Edward now determined once more to rouse himself to a formidable attack on Scotland. In the interval between the death of Gaveston, and the rise of the younger Despenser, the King, freed from the fatal influence of favourites, seems to have acted with somewhat greater energy. In the autumn he held a Parliament in London, when leave was again given him to raise an army against the Scots. It was ordered "that every city and town of England, that was able to do it, should raise and find so many men to assist the King against the Scots. And the City of London maintained two hundred men armed at all points; Canterbury, forty; the town of St. Albans, ten; and so, consequently, did the other cities and towns according to their rates."[61] But the King had neither the skill, nor the will, to command in person, and he had no great commander whom he could trust,

Edward again prepares to attack Scotland, but does not go in person.

Edwd. II. A.D. 1318. Mutiny of the army.

or who would trust him. Therefore, on the arrival of the army at York, it broke out into mutiny, and had to be disbanded.

A.D. 1319.

In the beginning of the following year, A.D. 1319, Edward again gathered together his army, and in September laid siege to Berwick, commanding the army in person. The first assault was made on the 7th of the month. Early in the morning the trumpets of the English were heard, and the besiegers advanced in various bodies, well provided with scaling ladders, with pickaxes for mining, and under cover of squadrons of archers and slingers. About noon, the English ships sailed up the river Tweed, on which Berwick is situated, and tried to carry the town from the rigging of one of the vessels. The top-masts were manned with soldiers, and so also was one of her boats, which was drawn up half-mast high. To the boat was attached a kind of drawbridge, intended to be dropt upon the wall, and to afford a passage from the ship to the town. The walls, which were only a spear's length in height, afforded little defence against these preparations, but the Scots, animated by a feeling of confidence, inspired by long success, repulsed the enemy from the land side, while the ship, left high and dry by the ebbing tide, was set on fire by a party of the enemy who had descended from the walls.[33] The English drew off, but only to make preparations for a more desperate assault. They determined to undermine the walls; and, for this purpose, a huge machine called a *sow* was constructed, covered by a strong roofing of hides and boards, and holding within its bosom large bodies of armed soldiers and miners. To cooperate with this machine, moveable scaffolds, high enough to overtop the walls, and capable of holding

Edward goes to Scotland in person and lays siege to Berwick.

armed men, were erected, and a number of ships were fitted out like the vessel which had been burnt, but their top castles were full of archers. The Scots on their side were not idle. Great machines, called catapults, were made for hurling forth huge stones, and others for throwing heavy darts, winged with copper. Iron chains, with grappling hooks, and piles of faggots, mixed with bundles of pitch and flax, were also kept in readiness for defence. At length all was ready for the second assault, and early in the morning of the 13th of September, the English made their attack. To the sound of trumpets and war horns, they resolutely advanced, but, after a struggle, which lasted from sunrise to noon, they were beaten back. Edward now ordered *the sow* to be advanced, and the English engineers, knowing that a single heavy stone from the great Scotch catapult, well aimed, would certainly be fatal, dragged it forward with great speed. Twice was the aim taken, and twice it failed. The first stone flew over the machine, the second fell short of it; the third, an immense mass, which passed through the air with a loud booming noise, hit it directly in the middle, with a dreadful crash, and shivered it into a thousand pieces. Such of the miners and soldiers who escaped death, rushed out from amongst the fragments, and the Scots, raising a shout, cried out that the English *sow* had farrowed her pigs. The machine was now set on fire, and the English attack was quite repulsed.[34]

Edwd. II. A.D. 1319.

Failure of the siege of Berwick.

Although twice beaten off, it is likely that Edward would have made another attempt to take Berwick, but Bruce determined to compel him to raise the siege, by invading England, and making an attempt to take prisoner the Queen, who was then at York.

Bruce obliges Edward to raise the siege.

Edwd. II. A.D. 1319.

Randolph and Douglas were sent into England with this object, at the head of 15,000 men. It is to be feared that Lancaster was really a traitor, for it appears that Bruce was in secret correspondence with him, and with others about the Queen's person.[35] Bruce's schemes nearly succeeded, but they became known to the Queen through a Scottish prisoner, who fell into the hands of the English, and the Queen escaped. Randolph and Douglas, disappointed at their failure, ravaged the country.

Unsuccessful resistance of the English to the invasion of Randolph and Douglas.

Almost all the military strength of the English was collected together before Berwick, but the Archbishop of York, and the Bishop of Ely, did their best to raise a force to resist the invaders. A motley force of 20,000 men was gathered together. Multitudes of priests and monks, their armour covered with white surplices, train bands, and armed citizens, led by the Mayor of York, swelled the array. The result was what might be expected. They were utterly routed, and only escaped complete destruction by the approach of night. When the news of the disaster reached the camp before Berwick, Lancaster, basely and perhaps treacherously, deserted the King's army with all his followers, and the siege was therefore raised. Edward made a spirited attempt to intercept Douglas and Randolph on their return, but they escaped him entirely, and reached Scotland loaded with booty. Eighty-four towns and villages were burnt and pillaged by Randolph and Douglas in this expedition.

Truce between England and Scotland.

A two years' truce, to commence from Christmas, A.D. 1319, was at length agreed on between the two Kingdoms, but, notwithstanding this, the Archbishop of York and the Bishops of London and Carlisle

continued to excommunicate Bruce and his barons every Sunday and festival day throughout the year.[36] Edwd. II. A.D. 1319.

Quarrels between the King and the Barons.

When the King returned towards the South of England, he summoned a council to meet at Northampton on the 1st August. At this assembly the barons imputed the King's want of success to his acting without the advice of the Earl of Lancaster, and it was agreed between the King and the barons, that "a standing council of certain bishops, earls, and barons should constantly remain with the King, to advise him in all matters of public concern, until the next Parliament."[62] Edward summons the barons.

At the following Parliament, held at York, three weeks after Michaelmas, it was agreed that two bishops, one earl, and one baron, or banneret, of the House of Lancaster, "should in his name, and for him, be present and remain with the King, in their turns, according to the four quarters of the year, to deliberate with, and advise him, in due manner, and that they might deliberate and advise about all considerable matters out of Parliament, until a Parliament should otherwise determine concerning them."[63] Appointment of standing council to advise the King.

There appears, however, to be no evidence that this arrangement was ever acted on, for the King was now influenced wholly by the two Despensers, the younger of whom was appointed Chamberlain to the King, by the Parliament at York. The Despensers.

In the following year, A.D. 1320, the Scots broke the truce, invaded England, and penetrated as far as York, without meeting with any formidable resistance. In the summer, (on the 19th June, A.D. 1320) Edward A.D. 1320. The Scots break the truce.

Edwd. II. A.D. 1320.

went to Amiens to do homage, in person, to Philip the Fifth, surnamed le Long, or the Tall, for the Duchy of Aquitaine. His father, and Edward's

Mourners watching the Bier of Philip IV.
(Royal MSS. Brit. Museum, 20C. vii. fol. 40 *b*.)

father-in-law, Philip the Fourth (*le bel*, or the fair), had died in A.D. 1314, and Edward should at once have gone to France to do homage to his son and successor, Louis the Tenth, called Le Hutin, or the Quarrelsome; but he was then at war with Scotland, and could not venture to leave his kingdom. Louis the Tenth died in A.D. 1316, and it does not appear that Edward did homage to him at all; but the ceremony could now be no longer delayed.

Evil influence of the Despensers.

On his return to England, the barons broke out into renewed discontent at the King's favouritism towards the two Despensers, "who now governed the

King so absolutely that no bishop or lord could do anything at court without their favour and consent." [64] Edwd. II. A.D. 1320.

The barons had themselves placed the younger Despenser in the post of Chamberlain to the King, hoping he would be of service to them, as a spy; but he was soon persuaded by his father to espouse the King's interests,[28] and his personal qualities made him as dear to the King as Gaveston had been. The father seems to have been a man "of integrity, wise in council, and valiant in arms," [65] but the son, who replaced Gaveston in the King's affections, was haughty and dissolute, covetous and oppressive.

A.D. 1321. Fresh outbreak between the King and the barons.

The immediate cause of the fresh outbreak between the King and the barons occurred early in A.D. 1321, and was occasioned by the King obliging the owner of a certain estate in Wales, called Gowerland, to commit a breach of contract with certain lords who had agreed to buy it. The King did this in order that the younger Despenser might possess himself of the estate. King Edward having general feudal rights over his dominions, the land could not be sold without his consent, and he gave the younger Despenser leave to buy it, notwithstanding that the owner had already pledged himself to sell it to others. This so provoked the general body of the barons that they made common cause, banded themselves together, and ravaged the lands of the two Despensers, father and son. They afterwards assembled themselves at Sherburn Castle, in Yorkshire, which belonged to the Earl of Lancaster, and there, under his guidance, entered into a solemn compact to "maintain their quarrel" against the Despensers to the utmost. They then marched to St. Albans, "taking victuals every-

Origin of the quarrel.

The barons march towards London.

Edwd. II. A.D. 1321.

where on their march, and oppressing the poor." From St. Albans they sent messengers to the King in London, demanding the banishment of the two Despensers. The King refused their demands, whereon they "came with great haughtiness and military pomp up to London."[66]

Parliament banishes the Despensers.

The King now, by the advice of the Queen and some of the bishops, yielded to the barons, and a statute, which had been previously prepared at a separate council of the barons, was passed, under written protest from the prelates, banishing the two Despensers from the kingdom. The Parliament which passed this statute was called "The Parliament of the White Bands," on account of certain white marks, by which the adherents of the barons were to know one another.[29]

Selfishness of the barons.

The wording of this statute, the oppressive conduct of the barons during their march to London, their cowardly fears after the passing of the statute, and the sudden fall of their party, which immediately ensued, all prove their utter selfishness and narrow-mindedness, and that they had not the least hold on the affections or sympathy of the general body of the nation. That the King was weak and depraved cannot be questioned, but, that the barons were selfish and tyrannical, is equally certain. One of the principal charges brought against the Despensers by the barons, shows clearly how little they were actuated by patriotic principles, while, at the same time, it involves in mystery the character and conduct of the Despensers. This charge was, that they had attempted to limit the power of the King, but their attempt was based on well-reasoned principles, worthy of the great crisis in English History, which occurred more than

Mysterious charge against the younger Despenser

three centuries later. In the words of the statute,* the younger Despenser was charged with making a Bill to the following effect, viz.: "That homage and the oath of allegiance is more by reason of the Crown, than by reason of the person of the King, and it bindeth itself more unto the Crown than unto the person; and this appears in that before the estate of the Crown hath descended, no allegiance is belonging to the person; wherefore, if by chance the King be not guided by reason, in right of the Crown, his liege subjects are bound by the oath made to the Crown to guide the King and the estate of the Crown back again by reason, and otherwise the oath would not be kept. Now, were it to be asked, how they ought to guide the King? Whether by course of law, or by violence? By course of law a man will not be able to get redress, for he will have no judges but such as are the King's, in which case, if the will of the King be not according to reason, he certainly will have only error maintained and confirmed; wherefore it behoveth, in order to save the oath, that when the King will not redress the matter, and remove that which is hurtful to the people at large, and prejudicial to the Crown, it is to be determined, that the thing be removed by violence, for he is bound by his oath to govern the people, and his liege subjects are bound to govern in aid of him, and in his default." [77] It is singular that insurgent barons should object to such a declaration as a crime; and that such a depraved character as the younger Despenser should put forward such enlightened views, but it is probable that they were suggested by his father.

Edwd. II. A.D. 1321. viz. that he attempted to limit the power of the King.

* 15 Edw. II. A.D. 1321–1322. Exilium Hugonis le Despens' patris et filii.

Edwd. II. A.D. 1321.

After passing the statute of banishment, the barons began to fear they had gone too far, and they therefore compelled the King to pass an Act of Indemnity, or pardon, to secure them from punishment. This Act recites the particular crimes, for which they were not to be punished, in an amusing manner, and among other comprehensive particulars, it is stated that they are not to be punished for "killing of men, and other robberies, felonies, or other things done against the King's peace, from the beginning of the world to that day." [67]

The barons compel the King to grant them an indemnity.

The elder Despenser was abroad at the time of his sentence of banishment, but the younger lay, for some time, concealed in England. After a time he went to sea, and "turned pyrate, robbing whatever English merchants he could meet with." [67]

The barons make the Queen their enemy.

The Queen had, hitherto, been a great supporter of the barons, and promoter of peace between them and the King, by inducing him to yield to their demands; but, by the ill-judged conduct of one of their party, they now turned her against them, and thus led to their speedy ruin. The Queen was making a progress to Canterbury, and, on arriving at Leeds Castle, in Kent, which belonged to the Crown, she demanded entrance. The guard, placed in the castle by the governor, refused her demand with great insolence. The King, consequently, collected a large body of soldiers, and laid siege to the castle; a feeble but vain attempt was made by the confederated barons to relieve it, and the castle was surrendered.

The Despensers return to England.

At the end of the year, the younger Despenser returned to England, and presented a petition to the King complaining that his sentence was illegal. The

petition was laid before the prelates of the province of Canterbury, who condemned the sentence, and the Earls of Kent, Richmond, Pembroke and Arundel, having solemnly protested before the King and his council, that they had acquiesced in it merely by force, and out of fear of the army of the barons, the young Despenser was allowed to remain in England, and was readmitted, with his father, into the King's councils.[13] The King spent his Christmas with him at Cirencester, plotting an attack on the barons. Edwd. II. A.D. 1321.

There seems to be good reason for believing that Lancaster and the barons had entered into traitorous correspondence with Bruce, and had made an agreement with him that he "should live and die with them in their quarrel," but this compact can have been only for purposes of defence against the King, and to put an end to the war with Scotland, for it was part of the agreement, that Bruce should "on no account lay claim to any conquest within the Kingdom of England."[23] Still, the making such an agreement with Bruce was treason on the part of the barons, and their conduct, if unsuccessful, deserved the punishment it eventually met with. Grounds for suspecting Lancaster of treason.

Early in the year A.D. 1322, the King marched to the borders of Wales, and then to Worcester, Shrewsbury, and Bridgnorth, the barons submitting with little or no resistance. A small number, however, the chief among them being the Earl of Hereford, joined the Earl of Lancaster at Burton-on-Trent, where, hoping for assistance from the Scots, they awaited the attack of the King. For three days the barons' forces made a successful resistance, but at length they were obliged to retreat, and Lancaster, with ninety-five barons and knights, surrendered. A.D. 1322. Defeat of the barons and execution of Lancaster.

Edwd. II. A.D. 1322.

Roger Mortimer was imprisoned in the Tower of London, many of the barons were hung, drawn, and quartered, but Lancaster, out of reverence to his Royal blood, was kept for the King's own judgment.[68] He was tried by the King's council, sentenced to death, and was executed at Pontefract on the 21st March, A.D. 1322. His trial was illegal, and in the following reign the sentence of attainder was reversed, he was looked on as a saint, and a church was built on the hill where he was executed.

After the fall of the barons, the King "looking upon himself as lord and master of the whole kingdom, grew much worse than ever he had been before."[69] His first act was, to bring before Parliament the annulling of the sentence against the Despensers.

Enormous wealth of the Despensers.

Among the grounds for the reversal of the sentence, was a charge against the barons that they had seized the property of the Despensers, and the enumeration of the property thus seized shows the enormous wealth possessed by these favourites. The two Despensers had sixty-three manors, and it was said that the barons had driven away, or seized, 28,000 sheep, 22,000 oxen, cows, and heifers, above 600 horses and mares, and other property to the value of above 30,000*l.* (equal to nearly 100,000*l.* of our present money), belonging to the elder Despenser, besides property to almost an equal value belonging to the son.*

With reference to the enormous moveable property possessed by these nobles, it must be recollected that their wealth consisted mainly of corn and cattle, and that they had but little actual money.[70]

* See note p. 416.

Edwd. II. A.D. 1322.

At that time there were comparatively few husbandmen or farmers able to take leases of lands and pay a yearly rent for them: hence many of these barons, by means of their stewards and bailiffs, had to farm their own lands, and were necessarily possessed of a large amount of stock.

The King reverses the sentence against them.

After hearing the grounds for the reversal of the sentence against the Despensers, the King himself gave judgment; and, as it now suited his purpose, appealed to Magna Carta to prove that they had been illegally condemned. Of course he reversed the sentence. The King next proceeded to bring about the annulling of the Ordinances, which the subservient Parliament accordingly declared "should be null and void for ever." [71]

Four years afterwards, when the barons again got the mastery over the King, all these proceedings were reversed and in their turn pronounced null and void.

Edward invades Scotland, but without success.

Edward, elated at his recovery of power, again made formidable preparations for the invasion of Scotland, and wrote to the Pope "requesting him to give himself no further trouble about a truce with the Scots, as he had determined to establish a peace by force of arms." [37] The invasion took place, but Bruce repeated the tactics which on all former occasions had been so successful. He retreated before the invaders, laying waste the country, and so, when Edward had penetrated nearly as far as Edinburgh, he was forced to retreat, and the Scots followed closely at his heels, pursuing him all the way into Yorkshire, where they nearly took him prisoner.

A.D. 1323. Truce with Scotland.

In the following year, Edward was glad to agree to a truce with the Scots for thirteen years, but a permanent peace was prevented by his underhand

Edwd. II. A.D. 1323.

intrigues. During Edward's lifetime, however, there was no more actual war between the two countries.

The new Favourites and their fatal Influence.

Edward was now called on to do homage to the new King of France, Charles the Fourth, surnamed le Bel, or the Fair, but the evil influence of the Despensers prevented his complying with the demand of the French King. The dark shadow of coming events, fatal alike to the favourites and to their Royal tool, now became distinctly visible, and day by day crept slowly on.

Philip the Long, who had succeeded his brother Louis the Tenth as King of France in A.D. 1316, had died on the 3rd of January, A.D. 1322, and Edward ought at once to have gone over to France to do homage to his brother and successor, Charles the Fair. He did not, however, do so, and Charles therefore sent ambassadors to remind him of his duty, and to summon him to appear. But the Despensers allowed no one to approach the King except themselves, and prevented the ambassadors from seeing the King, concealing the urgency of the business from him. They feared that, if the King were absent from England, the barons would rise against themselves. Edward therefore paid no attention to the French King's summons, who accordingly took possession of Guienne and Gascony in consequence of his default.

The Despensers prevent the King from doing homage to the new King of France, who seizes his dominions.

The Despensers were just then too powerful to give the barons any chance of a successful resistance to their intrigues, but a plot was laid for the release of those who had been imprisoned in Wallingford Castle

on the defeat of the Earl of Lancaster. Unfortunately this plot did not succeed, but Mortimer, who was imprisoned in the Tower of London, effected his escape, and fled to the Court of France, where he and others of the barons, who were disgusted at the rapacities of the Despensers, were well received. Edwd. II. A.D. 1323. Mortimer escapes from prison.

Edward, meanwhile, lulled into fatal security by the evil influence of the Despensers, devoted himself entirely to pleasure, and spent his Christmas at Kenilworth, with great magnificence, in the society of his favourites. The seizure of the King's French dominions, however, could neither be concealed from the barons, nor tamely submitted to by the King. A Parliament was, accordingly, summoned to meet at the beginning of the following year, A.D. 1324, to consider what should be done. It was settled that the King's brother, the Earl of Kent, and the Archbishop of Dublin, should go over, instead of Edward, to do homage to the new King of France. A.D. 1324.

A treaty of marriage, between the King's eldest son, afterwards Edward the Third, and the daughter of the Count de Valois, uncle of Charles the Fair and of the Queen of England, was now set on foot. This must have been proposed by the Queen, who was probably desirous of uniting the two Royal families more closely, and thus strengthening her own party. The King, under the existing circumstances, was not likely to entertain such a project, and indeed he did all he could to thwart it.

In pursuance of the decision of Parliament, the Earl of Kent and the Archbishop of Dublin now went over to France, to do homage in lieu of the King. But the King of France refused to accept their performance of that duty, and soon afterwards Further quarrel between England and France.

Edwd. II. A.D. 1324. a fresh quarrel broke out between England and France. The French King had built a castle on the English territory, and Ralph, Lord Basset, the King of England's seneschal of Bourdeaux, demolished it.[30] The Earl of Kent proposed to give Basset up to the King of France, but Edward refused to submit to so disgraceful a humiliation, and the King of France therefore sent the Count de Valois to seize Aquitaine and Poitou.

The enmity between the two Kings was now greatly increased, trade between their subjects was stopped, and Edward vented his spite against the King of France on his own Queen, who was the King's sister. He knew that she hated the Despensers, and looked to her brother as her protector against them, and even against himself. He dismissed all her French servants, seized her manors, and gave her only a small pension, irregularly paid, to live on. She was consequently advised to take the first opportunity of paying a visit to her brother the King of France, and her uncle the Count de Valois, to take their advice against the Despensers. She soon had the wished-for opportunity.

A.D. 1325. The Queen goes to France to settle the difficulties. Early in the following year, A.D. 1325, a Parliament was summoned to consider what should be done to recover the English provinces seized by the King of France, and it was settled that ambassadors should be sent over to negotiate. This was done without success, and Edward then wished to go in person. But the Despensers were afraid of the consequences of his absence, and persuaded him to send the Queen instead. She was kindly received by her brother, who, at once, offered to accept the homage of Edward's son, instead of his father's,

provided the King would make his French dominions over to his son. Edward agreed to this, and his son went to France, and performed all the required formalities. Edwd. II. A.D. 1325.

The Queen and her son, however, did not return to England, well knowing that, unless they broke the power of the Despensers, the Queen would still be ill-treated by her husband. The King, consequently, sent urgently desiring them to return, but it was in vain. Again and again the King wrote, entreating the Queen to come back, but still she refused. There is some ground for suspecting that a too great intimacy with Mortimer, who had fled to Paris on his escape from the Tower of London, was one cause of the Queen's unwillingness; but the King's own conduct to her amply justified her determination never to return when she had once escaped from him. The King's efforts being all in vain, the Despensers tried to prejudice the King of France against her, and so completely did they succeed that, early in the following year, A.D. 1326, she thought it prudent to escape from France to Flanders, where she and the Prince were well received by William, Earl of Hainault. The Earl conceived the idea of a marriage between the Prince and one of his daughters, and, by the advice of his brother John, agreed to support the Queen and the Prince by force of arms, on that condition. The Prince preferred Philippa, the second daughter, and, the marriage being agreed on, the Earl and his brother made active preparations for the invasion of England.

Her son follows her.

The Queen and the young Prince remain in France.

They leave France and go to Flanders.

Treaty of marriage between the Prince and Philippa of Hainault.

In the meanwhile, King Edward, having been informed of the threatened invasion, made what preparations he could to resist it. It is evident,

Edwd. II. A.D.1326.

however, either that the country was by this time disgusted at the King's conduct, or that the measures of defence which he took were ridiculously insufficient.

The Queen invades England.

On the 22nd September, A.D. 1326, the Queen landed at Orwell, near Walton, in Suffolk, with less than 3000 men. It is remarkable that she ventured to defy the power of the King and his favourites with so small a force; but she was doubtless well informed as to the state of feeling in England, for her landing was unopposed, and no sooner was she on shore, than barons, bishops, and knights flocked to her support, some with money and some with soldiers, so that she was soon at the head of a considerable army.

So soon as the King had heard of the Queen's landing, he issued (on September 28th) a proclamation calling on the people to come forward in his defence, promising payment to the soldiers, pardon for all past offences to the great men, and offering a large reward for Mortimer's head.

The Queen, on her part, issued a counter-proclamation, promising good government, and forbidding plundering and all outrages, but excepting the two Despensers from the protection she offered to all others.

The King cannot raise soldiers to resist the Queen.

But the day of reckoning had come at last; the King's proclamation was only idle words, scattered by the wind. None responded to it. No soldiers flocked to his standard; and when he called on the Londoners to provide him with men and money, they answered, "that they should always reverence the Lord their King, the Queen, and their son, the lawful heir of the kingdom; but, that they should shut

their gates, and resist, as far as they were able, all foreigners and traitors; yet declared, that they were not willing to march out of their city to fight, unless, according to the liberties granted them, they could return the same day before the sun set."[72] Edwd. II. A.D.1326.

The King, being thus foiled, in the very heart of his kingdom, in his efforts to resist the Queen's party, went, with the Despensers, to the West of England, to try what he could do there. He proceeded first to Gloucester, and then to Chepstow, from whence he sent the elder Despenser, to fortify the city and castle of Bristol. But he himself embarked on board ship, with the younger Despenser, with the intention of escaping to the Isle of Lundy, in the Bristol Channel, and getting from thence into Ireland. The King flees with the Despensers to the West of England.

Meanwhile, the Queen's party increased daily, and the people, especially in London, took her part with great violence. They plundered the house of the Bishop of Exeter, the founder of Exeter College, Oxford.[73] The Bishop's house was close to St. Paul's Cathedral, and, as the plunderers were leaving it, they unfortunately met the Bishop, "coming out of the fields on horseback, to the north door of St. Paul's,"[74] and immediately murdered him.

The Queen marched with her army to Oxford, and then, pursuing the fugitives, went on to Gloucester. She next laid siege to Bristol, which was soon taken, and the elder Despenser, to whom the defence of Bristol had been intrusted, was made prisoner and cruelly put to death. The King, and the younger Despenser, being driven back, by bad weather, from the Bristol Channel, were obliged to land in Glamorganshire, where they took refuge in the Abbey of Neath. Their retreat was soon discovered, and the The elder Despenser put to death. The King taken prisoner.

Edwd. II. A.D. 1327.

King was taken by the Earl of Lancaster (son of the Earl who had been executed), to his castle at Kenilworth, while Despenser was carried to the Queen at Hereford, where he was executed with peculiar, but perhaps not altogether undeserved, barbarity.

The younger Despenser put to death.

The Prince appointed guardian.

A great assembly of bishops and barons was held at Bristol on the 26th of October, when the King's son Edward was appointed guardian of the kingdom. The Queen and her party kept their Christmas at Wallingford Castle, while the miserable King was lying a prisoner at Kenilworth.

Early in the following year, A.D. 1327, the Queen and the Prince proceeded to London, where they held a Parliament on the 7th of January. At this Parliament it was agreed that the King should be deposed, and his eldest son made king in his stead. A numerous body of clergy and barons were then sent to the King, to induce him to resign the crown, which, of course, he had no power to refuse. The unfortunate monarch was greatly dispirited, and answered, "That he was very sorry he had so misbehaved himself towards his people, and asked pardon for it of all that were there; but, seeing now that it could not be otherwise, he returned them his thanks for electing his first-born son in his stead."[75] The formal ceremony of his abdication was then gone through. He delivered up the crown and sceptre, and then, Sir William Trussel, in the name of the whole Parliament, surrendered their homage up to him. Edward the Second was the first King of England deposed by his subjects.

The King deposed.

His son made King of England.

Edward the Third was now King of England, and the reign of Edward the Second was therefore ended, but it is necessary to follow the history of the unfor-

tunate monarch to its tragic end, which happened only a few months afterwards. Edwd. II. A.D. 1327.

Edward was kept in prison by the Earl of Lancaster, and was well treated. But the Queen refused to visit him, "either because of an aversion she had to his person, or through the instigation of Mortimer."[76] After a time, however, the Queen, taking advantage of the absence of the King, her son, in Scotland, gave orders, or consented, that her husband should be put to death. He was, accordingly, taken from the custody of the Earl of Lancaster, and delivered over to the custody of Thomas, Lord Berkeley, Sir John Mautravers, and Sir Thomas Gournay. They removed him first to Corfe Castle, in Dorsetshire, and afterwards to Bristol Castle. A plot was here laid, by some of the principal citizens, who doubtless suspected the fate that would befall him and pitied him, to effect his release, and carry him off in safety beyond the seas. But the plot was discovered, and the King was removed by Mautravers and Gournay to Berkeley Castle in Gloucestershire, Lord Berkeley having been taken ill at Bradely, and thereby prevented from returning to his castle. There the terrible deed was perpetrated. On the night of September the 21st, fifteen ruffians came at midnight into the room of the deposed monarch and murdered him with indescribable cruelty. Dreadful murder of the King.

Thus closed the life of this unhappy King—Edward of Carnarvon. There is, unfortunately, no feature in his character or conduct on which we can rest with pleasure, but, whatever his weaknesses or his vices may have been, the tortures he suffered at his death must, when we think of them, extinguish in us all feelings, except detestation for his murderers, and fill

Edwd. II. A.D. 1327 us with sorrow for the sins and follies which brought on him so dreadful an end.

Wife and Issue of King Edward the Second.

He married Isabella, daughter of Philip the Fair, King of France, on January 28th, A.D. 1308.

By her he had *two sons:*

Edward, of Windsor, born Nov. 13, A.D. 1312, who succeeded to the throne as Edward the Third, in A.D. 1327; and

John of Eltham, born on Assumption day, A.D. 1315; created Earl of Cornwall, by a Parliament at Salisbury, A.D. 1328, at twelve years of age, who died in Scotland, A.D. 1334, unmarried, in the 20th year of his age; and

Two daughters: Joan, married, when a child, July 18th, A.D. 1329, to David, Prince of Scotland, son and heir apparent of King Robert Bruce, whom, within six months afterwards, he succeeded as King David the Second, at the age of seven years; Joan died in A.D. 1357; and

Eleanor, married to Reynald, second Earl of Gueldres, with a portion of 15,000*l.*; A.D. 1332.

NOTE TO PAGES 376, 387, & 406, AS TO PRICES.

It is a matter of great interest, but of considerable difficulty, to determine the amount which a sum of money at any remote period represents at any other, or the purchasing power at any two such periods of any specified sum, say 100*l.*—meaning by purchasing power the capacity of buying like quantities of like articles of convenience and comfort. The difficulty arises chiefly

from the circumstance that we have not a sufficient number of authentic facts for the purpose. We might adopt, as the basis of our calculations, the wages of an agricultural labourer at any particular period, and the articles he could buy with such wages. But in times so remote as the 13th century, we have very few statements as to the amount of wages, and we have even reason to believe that a farm-labourer then received some food or clothing in addition to his wages. Our calculation would, therefore, rest on an insufficient basis, but an attempt may be made to reason on such facts as we do possess. Thus we find that, in A.D. 1272, a labourer received 1½*d.* a-day,* or 9*d.* a-week. About that time, wheat varied from 20*s.* a quarter at Northampton, 17*s.* at Bedford, and 13*s.* 4*d.* at Dunstable in A.D. 1258, to 6*s.* 8*d.* in A.D. 1270, and 4*s.* 6*d.* in A.D. 1281. The average may be taken at 12*s.* a quarter, or 1*s.* 6*d.* a bushel. A farm labourer, therefore, according to this calculation, could buy half a bushel of wheat with his week's wages. At the present time, we may fairly take the average wages of an agricultural labourer at 12*s.* a-week, and the price of wheat at 56*s.* a quarter, or 7*s.* a bushel. A labourer, therefore, could now buy more than a bushel and a half of wheat with his week's wages. It might from hence be inferred, that a labourer was threefold better off now than in the 13th century, but, as I have already stated, we are tolerably certain that he then received other kinds of payment in addition to his wages; and it is necessary also to know what he had to pay for such things as he had to buy, but we have no facts of any value to guide us. We read of a fat ox being sold for 16*s.* in A.D. 1279, and a salmon for 5*s.* in winter, and 3*s.* in summer, but we do not know the weight of either one or the other, and so it is with other articles. A comparison of wages and prices at those remote times, affords us, therefore, very little help in arriving at a conclusion as to the comparison between the power of buying, and the quantity that could be bought for any given sum. The fact which it is desirable to ascertain, or the question to be answered, is,—What quantities of like articles of necessity, luxury, and comfort can a man, at any particular period, obtain for a certain sum of money; and what amount of labour is required to obtain that sum of money? It is useless to know that a man can obtain a certain quantity of wheat, clothing, fuel, or anything else, for a certain sum of money

* Eden's "State of the Poor," vol. iii. p. 10.

unless we also know what work he must do to get that sum of money, or what means a man has of paying such a sum of money; and we have not sufficient facts to enable us to answer these questions.

There is, however, another way of arriving approximately at the comparative value of any given sum, at two periods, which, indeed, is a necessary step in all calculations of this kind, but which alone gives us very little additional help. I refer to the quantity of fine gold or silver in any given coin at the two periods. This is an essential point, as it is obviously of no use knowing that wheat, for instance, was sold, at a certain time, at so many shillings a quarter, unless we also know whether, at that time, a shilling meant the same as a shilling now. The pound troy weight, or 12 oz. of the metal of which English silver coins are made, contains 11 oz. 2 dwts. of pure silver, and 18 dwts. alloy. In the eighth year of the reign of Edward I. (A.D. 1280), this pound-weight of silver was coined into twenty shillings. In A.D. 1816, and at present, the like quantity was coined into sixty-six shillings. The shilling of A.D. 1280 was, therefore, equal to about 3*s.* 3½*d.* (say 3*s.* 3*d.*) of the present coin: that is to say, the shilling of the present day is worth less than one-third of the shilling of the time of Edward I., and, on this basis, if we wish to convert the money of the 13th century into the money of the present day, we must multiply it by three and a quarter. This is the calculation I have adopted in my present lecture, as it seems to me to be the only one based on any actual fact. But it is obvious from what I have stated, that this calculation gives us no measure of the value of any article of produce, as compared with the power of purchasing it; and the conflicting opinions of different political economists, as to the multiplier to be made use of, convince me that at present we have not sufficient means for ascertaining the relation borne in the 13th century by a payment to the means of meeting it. We cannot say that, as compared with the present time, taxation was heavy or light, wages were high or low, oxen, sheep, or poultry were cheap or dear; all we can do is, to convert shillings of the thirteenth century into shillings of the nineteenth, and then compare the relation which the prices of various articles at any particular period bore to each other at that period, and to the prices of a list of articles, of apparent similarity, at the present period. It may perhaps, however, be allowable to say that, as a result of the inquiries which have been made, and the opinions which have

been given by various persons, on this subject, the multiplier which will, with approximate correctness, convert the money of Edward I. into a purchasing power of equal force at the present time, would be somewhere between 12 and 20. Thus, for example, 100*l.* of money in the time of Edward I. would, all things considered, go as far in purchases of all kinds as 1,200*l.* or 2,000*l.* at present.

NOTES.

The following list of references is not given as one of original authorities, but solely as indicating the authors whom I have quoted, and on whom principally I have relied. I have given it, partly to enable those who wish, to verify the quotations, and test the accuracy of the narrative, and partly as a guide to those who may desire to study the subject more fully.

CARTE'S *History of England.* Folio, 1750.

[1] Vol. II. p. 307.
[2] „ 307.
[3] „ 308.
[4] „ 310.
[5] „ 309.
[6] „ 309.
[7] „ 310.
[8] Vol. II. p. 312.
[9] „ 312.
[10] „ 315.
[11] „ 323.
[12] „ 340.
[13] „ 354.

Histoire des Français. Par SISMONDE DE SISMONDI. 31 vols. 8vo. Paris, 1823.

[14] Vol. IX. p. 212. | [15] Vol. IX. p. 212. | [16] Vol. IX. p. 274.

Geschichte von England, von REINHOLD PAULI. Gotha, 1855.

[18] Vol. IV. p. 207. | [19] Vol. IV. p. 207, (note.)

[20] Vol. IV. p. 212, note (quoting Rymer, 105.)

LINGARD'S *History of England.* 13 vols. fcp. 8vo. London, 1844—1845.

[21] Vol. III. p. 293. | [22] Vol. III. p. 296. | [23] Vol. III. p. 325.

RAPIN'S *History of England.* Folio. Third Edition. London, 1743.

[24] Vol. I. p. 390.
[25] „ 391.
[26] „ 391.
[27] „ 391.
[28] Vol. I. p. 395.
[29] „ 395.
[30] „ 398, 399.

TYTLER'S *History of Scotland.* 8vo. Third Edition, 1845.

[31] Vol. I. p. 245.
[32] „ 322.
[33] „ 324.
[34] „ 324.
[35] Vol. I. p. 327.
[36] „ 332.
[37] „ 338.

TYRRELL'S *History of England.* Folio, 1700.

[38] Vol. III. p. 227.
[39] " 234.
[40] " 234.
[41] " 234.
[42] " 237.
[43] " 246.
[44] " 248.
[45] " 247.
[46] " 248.
[47] " 247.
[48] " 247.
[49] " 248.
[50] " 251.
[51] " 258.
[52] " 259.
[53] " 263.
[54] " 265.
[55] " 265.
[56] " 267.
[57] " 265.
[58] Vol. III. p. 267.
[59] " 269.
[60] " 271.
[61] " 273.
[62] " 275.
[63] " 276.
[64] " 276.
[65] " 278.
[66] " 281.
[67] " 286.
[68] " 289.
[69] " 293.
[70] " 296.
[71] " 298.
[72] " 316.
[73] " 318.
[74] " 317.
[75] " 327.
[76] " 345.

Statutes of the Realm.

[77] Anno 15° Edwardi II. A.D. 1321–1322.

MARLOWE'S WORKS, edited by the Rev. A. DYCE. 1 vol. 8vo. London, 1862.

[78] Page 193.

[79] Condensed from ADDISON'S *History of the Knights Templars*, and MICHELET'S *History of France.*

INDEX.

INDEX.

ABERDEEN, castle of, taken from the English by Robert Bruce, 365
Aberystwith Castle, rebuilt by Edward I., 273
Abraham, Cockben, the Jew, killed and robbed by the Baron John Fitzjohn, 218
Abury, or Avebury, druidical remains at, 7
Acre, besieged and taken by Richard I. of England and Philip Augustus of France, 65
Act of *Quia Emptores*, object of the, 82
Admiralty Court, history of the, 147. The Laws of Oleron, 147
Agriculture of the ancient Britons, 6. Account given of English agriculture in the 11th century in Domesday Book, 47, 48. Representation of Anglo-Saxon agricultural operations, 48
Aids, under the feudal system, 89. An aid demanded by Henry III., 185. Description of a debate on which an aid was demanded, 185. An aid demanded by Edward I. to carry on the war with France, 304
Alan, Count of Brittany, lands in Richmondshire granted by William the Conqueror to, 97
Albans, St., his martyrdom, 13
Albans, St., Queen Boadicea and the Britons defeated at the battle of, 11. Large sum of money levied on the town by Louis, son of Philip Augustus, 163. A second contribution levied, 164. Plundered by the freebooter Fulke de Bréauté, 172
Alexander II., King of Scotland, makes peace with Henry III. of England, 167. Visits Henry at Northampton, 167
Alexander III. of Scotland married to Margaret, eldest daughter of Henry III., 246. Does Edward I. homage as his feudal lord, 265. His death, 286
Alfred, King, with his brother Ethelred, defeats the Danes at Reading, 20. Ascends the throne, 20. Desperate condition of his dominions at this time, 20. His bravery and wisdom, 20, 21. His collection of laws, 21. His endeavours to suppress slavery in England, 20. His battle with the Danes at Wilton, 21. Hides himself in the Isle of Athelney, 22. His adventure in the swineherd's hut, 22. His noble character, 22. Gets into the Danish camp disguised as a harper, 23. Defeats the Danes and compels their chief to sue for peace and embrace Christianity, 23. His death, 23
Allodial lands, property so called, 81. Nearly all becomes feudal in the 11th century, 81
Alton Wood, Adam de Gordon surprised and taken prisoner in, 231
Ambresbury, Queen Eleanor a nun at, 246
Amphibalus, St., church of, pillaged by the French under the Count de la Perche, 164
Angles-ey, Isle of, meaning of the name, 32. Invaded and taken by Edward I., 273. Returned to Llewellyn for a large sum, 273. Again taken by Edward I., 281. Beaumaris Castle built by Edward I., 301
Anglo-Saxon language, the English language derived mainly from the, 27. Great force of the Anglo-Saxon, 28. Difference between words derived from Norman-French or Latin and those from Anglo-Saxon, 28
Anglo-Saxons; difference between a jury of Anglo-Saxons and one of the present day, 126. Personal knowledge of facts occurring in each district promoted by the institutions of the Anglo-Saxons, 126. System of frank-pledge, 126. Trials by compurgation, by battle, and by ordeal, 128. Chancellors of Anglo-Saxon kings, 133. Refuge taken by Anglo-Saxons *in* the woods from the oppressions of the Normans, 238. *See* also Saxons
Angus, Earl of, his treachery, 316
Angus, Robert de Umfraville, Earl of, appointed one of the governors of Scotland, 372
Anjou under the rule of the King of England, 57
Anlaf, attacks London, but is repulsed, 25

APU

Apulia, kingdom of, held of the Pope by the Emperor Frederic, 202
Aquitaine, Henry II. of England lord of, 57. Homage done by Edward I. to Philip III. of France for, 278. Seized by Charles the Fair, 409
Arches, Court of, origin of the, 146
Architecture of the Anglo-Saxons, 47. Of the Normans, 43
Arms of the ancient Britons, 6. Of the 14th century, 380
Army, mode of forming an, in the 14th century, 394. Mode of fighting at that time, 395
Arran, Isle of, castle of the, taken by Sir James Douglas for King Robert I., 332
Arthur of Brittany, claims the throne of England, 69. Takes possession of the English parts of France, 69. Taken prisoner, 69. Murdered by his uncle King John of England, 70
Arthur, King, remains of, said to have been deposited at Glastonbury abbey, 274. True place of his burial not known, 274. His fabulous history, 275. Belief of the Welsh in his return to earth, 275
Arundel, Earl of, joins the Barons in resisting Edward II., 359. Refuses to attend Edward to Scotland, 379
Ascalon, Richard I. of England at, 66
Ashtree-hill, battle of, 20
Assizes, establishment of, 120
Athelney, Isle of, King Alfred in the, 22
Athelstan, King, ravages of the Danes in the reign of, 23. His laws regarding "lordless men" quoted, 100
Austria, Duke of, offended by Richard I. of England, 66. Seizes and imprisons Richard, 67
Avon river, blockaded by the royalists, 225
Aylesbury, singular tenure of the manor of, 49

BACON, Roger, his vast amount of learning, 235
Bakers, extortions of the, in the reign of Edward I., 285
Baliol, John, lays claim to the throne of Scotland, 287, 293. Goes to war with Robert Bruce, who is also a claimant, 287. His descent from King William the Lion, 293. Meeting of all the competitors for the throne at Berwick, 293. Decided by Edward I. to be King of Scotland, 294. Does homage to Edward at Newcastle-upon-Tyne, 294. His character, 294. Treated unjustly by Edward I., 295. Releases Edward from his promises and oaths, and submits to further degradation,

BAR

295. Summoned to appear before Edward as his Lord Paramount, 295. Appears before the English Parliament at Westminster, 296. His answer respecting the complaint of the Earl of Fife, 296. Edward I. demands assistance from Baliol, which is refused, 301. Edward prepares to invade Scotland, 301. The war begun by the Scots, 302. Baliol renounces his allegiance to Edward I., 302. Defeated and surrenders unconditionally, 303. Sent with his son to the Tower of London, 303. Set at liberty, 318. Table showing his descent from William the Lion, 341
Bamborough taken by the Danes, 24, 25
Bannockburn, battle of, 373
Baronies. *See* Manors
Barons, extort Magna Carta from KING JOHN, 71, 72. Their final struggle with him, 72. Call in the assistance of the French, 76. Their castles and great power under the feudal system, 78, 94. How they obtained the lands from the conquered Anglo-Saxons, 96. Number of Baronies granted by William the Conqueror to his followers, 98, 99. Offer the crown of England to Louis, son of Philip Augustus, 157. Beginning of the contests with the Barons in the reign of HENRY III., 169. Refuse to give up the King's castles intrusted to their care, 170. Compelled to give them up, 170. Demand a confirmation of Magna Carta, which they obtain, 170. History of the Baron Fulke de Bréauté, 170. Watched and harassed by the Earl of Salisbury and Fulke de Bréauté, 173. The part of the Barons taken by Fulke de Bréauté, 174. Refusal of the Barons to grant the King an aid unless the two charters are confirmed, 185. Being asked for money they tell the King to get it from Hubert de Burgh, 189. Compel the King to get rid of his foreign favourites, 191. Progress of the struggle between the King and the Barons, 200. Solemn scene on the occasion of the King swearing to observe the charters, 202. The King binds himself to pay the expenses of the Pope's war in Sicily, 203. Determination of the Barons to insist on reform, 204. The Earl of Cornwall being made King of the Romans, the Barons place themselves under the guidance of the Earls of Hereford, Gloucester, and Leicester, 204. Attendance of the Barons in armour at a council at Westminster, 205. Their demand that the government be intrusted to a committee yielded to by the King, 206. Hold a Parliament at Oxford, 206. Pass the Provisions of Oxford, 206.

Become impatient for reform, 206. Their disappointment at the plan proposed by Parliament, 208. Quarrel between the Earl of Gloucester and De Montfort, 210. Reconciliation effected and civil war prevented by the mediation of the King of the Romans, 210. The King grows "grievous weary" of the provisions of Oxford, 211. And attempts to free himself from his oaths, 211. Absolution obtained by the King from the Pope, 211. Prince Edward refuses to accept the absolution, and takes part with the Barons, 212. The justices itinerant prevented by the Barons from going their circuits, 212. Compromise effected with the King to confirm some of the provisions of Oxford and abrogate the rest, 212. Prince Edward abandons the Barons and supports his father vigorously, 213. The Barons declare the King and Prince perjurers, and proceed to open hostility, 213. Send a humble petition to the King to observe the provisions of Oxford, 213. Compel the King to yield, 214, 215. The Barons again attacked by the King and Prince Edward, 215. Encamp at Southwark, and prevent the King from coming into London, 215. Submit their differences with the King to the arbitration of Louis IX. of France, 216. Who gives an unsatisfactory decision, 216. Refusal of the Barons to abide by the award, 216. And return to arms, 217. Strength of the King's party compared with that of the Barons, 217. Preparations for a decisive struggle, 217. Cruelty of the Barons to the Jews, 218. The King's preparations, 218. The King takes the field at the head of a considerable force, 218. And obtains success at first, 218. But is defeated and taken prisoner at the battle of Lewes, 219, 220. Efforts of the Queen to deliver the King from the power of the Barons, 221, 222. His cause espoused by the Pope, who sends over Cardinal Guido, 222. Guido stops at Boulogne and excommunicates the Barons, 222. Decision of Parliament to release the Prince Edward, 222. Desertion of the Earl of Gloucester and increase of the Royalist party, 223. Preparations for a renewal of the contest between the King and the Barons, 224. Umpires selected to settle differences, 224. Escape of Prince Edward from the custody of De Montfort, 224. The military tenants of the crown summoned by De Montfort, 224. Their junction with him prevented by the Earl of Gloucester, 224. Welsh troops supplied to the Barons by Llewellyn, Prince of Wales, 225. Defeat and death of De Montfort at the battle of Evesham, 227, 228. Triumph of the King over the Barons, 228. Enactment of severe measures against the defeated Barons and their followers, 230. The dispossessed Knights and Barons become banditti, 230. Many take refuge in the Isle of Ely, 231. Besieged by the Royalists in Kenilworth, which is reduced by famine, 231. The "Dictum of Kenilworth" drawn up and approved by Parliament, 231. Accession of EDWARD THE FIRST, 250. Tyranny of the Barons, 267. Remedies provided by the statutes of Westminster, 267. Their resistance to the writs of *Quo Warranto* issued by Edward I., 276. Great quarrel between Edward I. and the Barons, 306. The Barons' Parliament in the forest of Wyre, 307. Refuse to assemble at Winchelsea, 307. Compel Edward I. to ratify the charters, 319. Accession of EDWARD THE SECOND, 333. Offence given by Piers Gaveston to the Barons at a tournament at Wallingford, 350. Who demand the banishment of Gaveston, 357. Give their consent to the coronation of the King and Queen, 357. Determine to banish Gaveston, and hunt him over half the kingdom, 358. Bring the King to reason, and compel him to send Gaveston to Ireland, 359. Complain to the King of the oppressions of his officers, 359. Gaveston brought back by the King without the consent of the Barons, 360. Tournaments put down by the King, 360. Refusal of some of the Barons to attend a parliament at York, 360. Banish Gaveston, who returns, 364, 365. Band themselves together to resist the King, 365. Hold tournaments in several places, 366. Confederacy of the principal Barons, 366. Demand that Gaveston shall be again banished or given up to them, 366. Pursue him from place to place, and finally take him prisoner, 367. Put him to death, 367. Demand the confirmation of the ordinances, 368. Assemble their forces at Dunstable to compel the King to yield to their demands, 368. A reconciliation effected, 368, 369. Stormy meeting of the King and Barons in Parliament, 370. Peace restored on terms humiliating to them, 370. Complaints of the Barons at the King's favouritism of the two Despensers, 401. Refusal of the King to banish his favourites, 402. Advised by the Queen to yield to the Barons, 402. Compel the King to pass an Act of Indemnity, 404. The Queen turned

against them, 404. Preparations of the King to attack them, 405. Their fall, 405
Barrows, or burial-places of the ancient Britons, 8, 9
Bartholomew Fair, charter of, granted by Henry I., 181
Base service in the feudal system, 83
Basset, Philip, made Chief Justiciary by King Henry III., 211
Battle of Ashtree-hill, 20
——— Bannockburn, 373
——— Dunbar, 303
——— Englefield, 19
——— Falkirk, 316
——— Hastings, 39, 40
——— Lewes, 219
——— Northallerton, 55
——— Reading, 20
——— Stirling Bridge, 311, 312
——— the Standard, 55
——— Wilton, 21
Battle, trial by, or ordeal combat, 128. Only recently abolished, 128
Beasts, wild, in woods of England in the 13th century, 252
Beatrice, second daughter of Henry III., married to John de Dreux, Duke of Brittany, 246. Her death, 246
Beaucaire, great fair of, 181
Beaumaris Castle, built by Edward I., 301
Beaumont, Henry de, appointed one of the governors of Scotland, 372
Becket, Thomas à, his early life, 58. His pomp and luxury at Great Berkhamsted, 58. Made Chancellor, 58. And Archbishop of Canterbury, 58. Sides with the Pope in his struggle with the King, 59. Secretly escapes to France, 59. Returns to England, 59. Murdered at Canterbury, 60. Canonised, 61
Bedford Castle given to the freebooter Fulke de Bréauté, 172. Besieged and taken by Henry III., 175
Beer, kind of, drunk in the 13th century, 260
Belgians, their settlements on the sea coast of Britain in the time of Cæsar, 5
Berkeley Castle, Edward II. murdered in, 415
Berkhamsted, Great, Thomas à Becket at the castle of, 58. The castle taken by Louis, son of Philip Augustus, 163. Dispute between Richard, Earl of Cornwall, and Henry III. respecting the right of the former to, 187
Berkshire, ancient name of, 34. Meaning of the name, 34
Bernicia, foundation of the Anglo-Saxon kingdom of, 16
Berwick-on-Tweed, meeting of the competitors for the Scottish throne at,

292. Taken by Edward I., and its inhabitants massacred, 302. Castle of, besieged and taken by King Robert Bruce, 393. The fortifications strengthened by him, 394
Beverley, woollen manufactures of, in the 13th century, 261
Bishops, attempts of the Pope to obtain the sole right of appointing, 143
Blackburnshire, formerly a county, 33
Blondel, the minstrel of Richard I. of England, discovers the place of his master's imprisonment, 67
Bondicea, Queen, takes the field against the Romans, 11. Defeated at St. Albans, 11
Bordeaux, wine trade of, in the 13th century, 261
Borough-reeve, the office of, 31
Boun, or Bohun, Sir Henry de, attacks Robert Bruce, but is killed by him, 384
Brabazon, Roger, Justiciary of England, asserts the claims of King Edward I. as Lord Paramount of Scotland, 291. His answer to the Scotch nobles, 295
Brechin, Sir David de, attacks his uncle, Robert I., the Bruce, 371. Defeated, 371
Bretland, Wales so called by the Danes in the 10th century, 24
Bristol, arms of the city of, 83. Quarrel between the citizens of, and the foreign soldiers of Edward, son of Henry III., 214. Fortified by Edward II., 413. Besieged and taken by Queen Isabella, 413
Britons, or Celts, earliest reliable notice of the, 3. Herodotus, 3. Strabo, 3. Their trade with the Phœnicians, 3. Their mode of getting the tin, 4. Their original habitat, 5. Their language, 5. Driven into Wales and the West of England, 5. Their manners and customs, as described by Cæsar, 5. Their chariots and horses, 6. Their mode of warfare, 6. Their agriculture, 6. Their towns, 7. Their religion, 7. Their barrows, or burying-places, 9. Their cromlechs, 9. Attempts of the Romans to conquer them, 9. Landing of Julius Cæsar, 10. Their defeat under Cassivelaunus, 11. And under Caractacus and Boadicea, 11. Attacked by the Picts and Scots, 11. Walls built by the Romans, 11. What the Romans did for the Britons, 12. Introduction of Christianity, 13. Arrival of the Saxons, 14. Tenure of land of the ancient Britons, 79. Become perhaps the thralls or villeins of the Anglo-Saxons, 99. Take refuge in Wales on the Saxon invasion, 269
Brittany, John de Dreux, Duke of, married

to Beatrice, second daughter of Henry III. of England, 246
Bruce, Robert, lays claim to the throne of Scotland, 287, 293. Goes to war with Baliol, who is also a claimant, 287. His descent from King William the Lion, 293. Meeting of the competitors at Berwick, 293
Bruce, Robert, Earl of Carrick. *See* Robert I.
Bruce, Sir Edward, brother of Robert I., drives the English out of Galloway, 372. Commands the right division of the Scots at the battle of Bannockburn, 383. Invades Ireland, and is crowned King of that country, 390
Buchan, Comyn Earl of, attacks Robert Bruce, who defeats him, 371
Buckinghamshire, ravaged by the Normans under William the Conqueror, 45
Burgh, Hubert de, besieged in Dover Castle, 163. With Peter des Roches intrusted with the guardianship of the young King Henry III., 168. Rivalry of the two guardians, 168, 183. Charged with avarice, and called on for an account of his stewardship, 189. Escapes to the priory of Morton, 189. Visits his wife at Bury St. Edmunds, 190. A body of armed men sent after him, 190. Takes refuge in a church, 190. Dragged from the altar and taken prisoner to the Tower of London, 190. Restored to the Church, 190. Surrenders to the King, 190. Restored to his estates, but sent prisoner to the castle of Devizes, 190. Again in disgrace, and again purchases the favour of the King, 192, 193. Declares the damages and injuries sustained by Henry III. in his dominions in France, and demands an aid for the King, 185. Has the sole guidance of the young King, 187. Advises the King to refuse the request of the messengers from the French provinces, 188. Blamed for the miscarriage of the expedition, 189
Burg-motes, or town-courts, of the Anglo-Saxons, 110
Burial-places of the ancient Britons, or barrows, 8, 9. Cromlechs, or druidical tombs, 9
Bury St. Edmunds, origin of the town of, 19

CÆSAR, Julius, his account of the inhabitants of Britain, 5. And of their manners and customs, 5. His attempts to conquer the Britons, 9. Lands near Sandwich, 10. Defeats Caswallon, or Cassivelaunus, 10, 11. Leaves England and returns to Rome, 11
Canon Law, the, 139. The courts in which this law is administered, 139. Origin of the term canon law, 141. Collection of canon law of the reign of Stephen, 142
Canterbury, origin of the name of, 34. Pilgrimages to the shrine of St. Thomas à Becket at, 61. The shrine destroyed by Henry VIII., 61
Canterbury, Archbishop of, treated with severity by Edward I., 305. Reconciled to the King, 308
Cantwara, the old kingdom of, 34
Canute, King, attacked by Ethelred, and compelled to retire to his ships, 26. Subdues Wessex and passes into Mercia, 26. Makes himself master of Northumbria, 26. Compels Edmund Ironside to share the kingdom with him, 26. Marries Emma, widow of Ethelred, 26. Heriots in the time of Canute, as quoted from his laws, 90. His code of laws, 110
Caradoc, or Caractacus, defeated by the Romans and taken prisoner to Rome, 11
Cardiff Castle, Robert, Duke of Normandy, imprisoned in, 53
Carriages, few, in the 13th century, 253. A royal carriage, 253
Carts for carrying goods in the 13th century, 255. Expense of carriage by them, 255
Cassiterides, Herodotus' notice of the, 3
Castle, siege of a, in the time of Henry III., 176. Plan of a Norman castle, 177. Monk Bar gate, York, 178
Caswallon, or Cassivelaunus, defeated by the Romans, 10, 11
Catapult, a great Scotch, used at Berwick, 397
Cattle, abundance of, of the ancient Britons, 6
Celts. *See* Britons
Ceorls, or Churls, condition of, among the Normans under the feudal system, 100. Might become thanes, 101
Chalons, Count of, challenges Edward I. to a tournament in Burgundy, 264. The Count's treachery and death, 264
Chalus, siege of the castle of, King Richard I. mortally wounded at the, 68
Chancellor, Lord High, origin of the office of, 132, 133. Chancellor of the Anglo-Saxon kings, 133. The Chancellor anciently always a priest, 134. Why called the Keeper of the King's Conscience, 134. Why made Judge of the

Court of Chancery, 134. Also made Keeper of the King's seal, 136
Chancery, Court of, importance of the, 132. Its origin, 132. Derivation of the words Chancery and Chancellor, 133. How the Chancellor came to be Judge of the Court of Chancery, 134. The law administered in the Court of Chancery founded on the Roman Law, 135. The Great Seal, 136. Examples of the remedies provided by the Court of Chancery, 137. The spirit rather than the letter of the law enforced by the Court, 137. Its interference to prevent the commission of injuries, 138. Period when the Court of Chancery became a distinct and separate court, 138
Charing, Queen Eleanor's cross at, 291
Chariots of the ancient Britons, 6
Charles the Fair, King of France, summons Edward II. to do homage for his French dominions, 408. Seizes Guienne and Gascony, 408. The Earl of Kent sent to him to do homage, 409. Charles refuses to accept their performance of that duty, and seizes Aquitaine and Poitou, 410. Makes peace with England, 411
Cheapside, Queen Eleanor's cross in, 291
Chester, the Earldom of, annexed to the English Crown for ever, 336. Always granted in conjunction with the Principality of Wales, 337
Chivalry, rise of, out of the feudal system, 91. Education of a knight, 92. Investiture of a knight, 92
Chorleywood Common, 98
Christianity, introduction of, into Britain, 13. Almost extinguished by the Saxon invaders, 13, 18. Reconversion of the British by St. Augustine, 18
Churchyards, fairs frequently held in, 181
Cinque Ports, custody of the, given by Henry III. to Hugh Bigod, 211. Held by the Barons in their struggle with Henry III., 217. Armed vessels issuing from the, in the 13th century, 261. Taken by Prince Edward (afterwards Edward I.), 230. Send out vessels and take a large French fleet laden with wine, 297. Seize 280 Spanish ships, 300
Circuits, the kingdom divided into, by Henry II., 120. Travelled once in seven years, 120. Altered by Magna Carta to once every year, 120
Civil Law, founded on the Roman Law, 135
Clarendon, Constitutions of, 144

Claret wine, origin of the name, 260. Great trade in, in the 13th century, 260.
Claudius, the Emperor, sends an army to conquer Britain, 11
Clement IV., Pope (Cardinal Guido, *which see*), congratulates Henry III. on his victory over the Barons, 232. Exhorts the King to be moderate, 232. Persuades Prince Edward (afterwards Edward I.) to undertake a new crusade against the Saracens, 232
Clement V., Pope, grants Edward I. absolution from his oath as to the forests, 326. Assists Philip the Fair in bringing about the destruction of the order of the Knights Templars, 351, *et seq.*
Clement Danes, St., settlement of Danes at, 36
Clergy, their study of the law in Anglo-Saxon times, 103. One always present in courts of law, 111. History of the laws relative to the, 138. The Canon Law, 139. The clergy joined with the laity in law matters from the earliest times, 140. Attempts made to withdraw the clergy from the jurisdiction of the temporal courts, 142. And to obtain the right of presentment to livings, 143. Contests between the Church and King, 142, 143. The Pope's oppression of the clergy in the 13th century, 193. Contributions levied on them by the Pope, 194. Their resistance, 195. Submit to the Pope's demands, 196. Meeting of the King, nobles, and clergy at Oxford, 196. Consent of the clergy to a contribution of 11,000 marks, 197. Hundreds of foreigners appointed by the Pope to vacant English livings, 197. Livings kept vacant by Henry III. in order that he may take the revenues himself, 197. Refusal of the clergy to grant Edward I. an aid without the consent of the Pope, 304. Put by the King out of his protection, 304. Effect of this, 305. Meeting of the clergy to resist the extortions of the King, 307. The King reconciled to them, 307
Cleveland, in Yorkshire, 33
Clifford, Sir Robert, takes command of part of the English army at the battle of Bannockburn, 384. Driven back by Randolph, Earl of Moray, 384
Clovis, King of the Franks, and the soldier, anecdote of, 80
Code of Laws of England. *See* Laws of England
Coin, improvements of Edward I. in the, 276. Great numbers of Jews thrown into prison and put to death for clipping coin, 277
Commerce, mode in which the foreign, of

England was conducted in the reign of Edward I., 284
Common Law Courts. *See* Courts of Law
Common of pasture lands, under the feudal system, 98
Commons, House of, its origin, 103, 104. Its first separation from the Lords, 107. Town burgesses first sent to Parliament—the origin of the House of Commons, 222. England indebted to Simon de Montfort for establishing popular representation, 228. *See* also Parliament
Compurgation, trial by, derivation of the term, 127. Mode of proceeding in, 128. Abolished, 131.
Comyn, John, Earl of Badenoch, governor of Scotland, driven by the English into the wilds and fastnesses, 322
Comyn, John (Red Comyn), his quarrel with Robert Bruce, 327. Betrays Bruce to Edward I., 327. Murdered by Bruce in Dumfries, 328. Attacks Bruce, who, although ill, defeats him, 371
Conrad, King of Germany, marches from Germany to take Apulia and Sicily, 203. His death, 203
Conway Castle, Edward I. takes up his quarters there, 301
Corfe Castle, the son of Simon de Montfort imprisoned in, 271
Corn-fields and corn-stores of the ancient Britons, 7
Cornwall, visited by the Phœnicians for tin, 3-5. The ancient language of, 5. Meaning of the word, 32
Cornwall, creation of the Dukedom of, 337. The King's eldest son always Duke of Cornwall by birth, 337. Genealogy of the Dukes of Cornwall, 338. Sketch of the history of the Dukedom, 339
Coronation oath of Edward II., 357
Council, the Great or Privy, its power over the supplies in the 13th century, 183
Counties, origin of the division of England into, 28, 30. And of the word, 29. In some parts of England the counties called shires, in others lands, and in other parts no shires, 32, 33. Representation of counties in Parliament, 105
County Courts of the Anglo-Saxons, 110. Mode of proceeding in them, 111
Court of Chancery. *See* Chancery, Court of
Courts Baron, or Manor Courts, 118. Their jurisdiction, 118, 119
Courts, Ecclesiastical. *See* Ecclesiastical Courts
Courts of Law, origin of the, 112. The King's Court, 112. The Chief or Grand Justiciary, 114. This Court divided into other courts, 114. The Court of Exchequer, 114. The Court of Common Pleas, 115. The Court of King's Bench, 115. Contrivances for removing business from one court to another, 116. Legal fictions, 116. Manor Courts, or Courts Baron, 118. Further arrangements for the administration of justice rendered necessary by the superior courts sitting at Westminster, 119. Policy of the English constitution to bring justice home to every man's door, 120. Itinerant justices, 120. The kingdom divided into circuits, 120. Appointment of Judges of Assize, 120. Judges of *Nisi Prius*, 121. Commissions of gaol delivery, 121. Duties of justices of the peace, or magistrates, 122. Trial by jury, 123. Grand jury and common jury, 125. The Anglo-Saxon system of Frank-pledge, 126. The Frank-pledge superseded by witnesses, 127. Trials by compurgation, 127. Ordeal combat, or trial by battle, 128. Trial by twelve sworn knights first introduced, 130. Trial by jury finally established by Magna Carta, 131. The clergy associated with the laity in the administration of justice, 140. The ecclesiastical separated from the civil courts by William the Conqueror, 140
Cressingham, Hugh de, appointed Treasurer of Scotland, 303. Commands part of the English forces at the battle of Stirling Bridge, 311. Killed in the battle, 312
Crimes, ancient mode of atoning for all, by money payments, 109, 110
Cromlechs, or druidical tombs of the ancient Britons, 9
Cross, St., Winchester, Norman window at, 43
Crosses erected in remembrance of Queen Eleanor, 290, 291
Crusades, or wars of the Holy Cross, origin of the, 50, 51. The first crusade, 51. Peter the Hermit, 51. Sufferings of the crusaders, 51. Who take Jerusalem with dreadful slaughter, 52. The second crusade, 64. Its ill success, 64. The third crusade, 64
Cumberland, origin of the name of, 34. Ravaged by the Scots under Wallace, 314. Purchases a truce with the Scots, 376
Cups used by the English in the 13th century, 260
Curfew bell, the, introduced by William the Conqueror, 46. Still rung in some places, 47

DAMNONIA, the ancient kingdom of, 34
Dane-gelt, imposition of, 24

DAN

Danes, their invasion of England, 18. Countries whence they came, 19. Their ravages throughout the kingdom, 19. Defeat and slay Edmund, King of East Anglia, 19. Defeated at Englefield, 20. And at Ascesdun, or Ashtree-hill, 20. Extent of their possessions in England at the accession of King Alfred, 20. Defeated by Alfred at Wilton, 21. Their subjugation of the whole island, 22. Defeated again by Alfred, and compelled to sue for peace, 23. Their ravages throughout the country during the reigns of Alfred's immediate successors, 23. For three centuries a terror to the whole kingdom, 24. Imposition of Dane-gelt, 24. Sweyn crowned King of England, 25. The Danes attacked and dispersed by the English under Ethelred the Unready, 26. Overrun Wessex, Mercia, and Northumbria, 26. Compel Edmund Ironside to divide the kingdom with them, 26. The four Danish Kings of England, Sweyn, Canute, Harold Harefoot, and Hardicanute, 26. Traces of the Danes in the names of places still existing, 35. These names principally in the north of England, 36. Danish and Anglo-Saxon endings of words compared, 36. London names recalling the memory of the Danes, 36. Their five great settlements in the centre of England, 37. Driven out of England finally, 37

Dartmoor, the chase of, conferred by Edward II. on Piers Gaveston, 349.

David, King of Scotland, his wars with King Stephen, 54. Defeated by Stephen at the battle of Northallerton, 55

David, brother of Llewellyn, Prince of Wales, married by Edward I. to the daughter of the Earl of Derby, 273. His brother Llewellyn compelled to make him satisfaction, 273. His perfidy to King Edward, 280. Seizes the castles of Rhuddlan and Hawarden, 280. Taken prisoner by the English and hung, drawn, and quartered, 283

Debts, the mode of recovering, improved by the Statutes of Westminster, 267

Deheubarth, Welsh kingdom of, 269

Deira, foundation of the Anglo-Saxon kingdom of, 16

Demesne lands, what were, 98

Derby, origin of its name, 36, 37. Its former name under the Anglo-Saxons, 37

Despenser, Hugh le, the elder, adheres to the cause of Edward II., 358. Accompanies the King to France, 369. Accompanies the King to Bristol, 413. Fortifies

DUN

Bristol, 413. Taken by the Barons, and put to death, 413

Despenser, Hugh le, the younger, the favourite of King Edward II., 389. Appointed Chamberlain to the King, 399. Banishment of him and his father demanded by the Barons, 401. Charges brought against them, 402. Banished, 404. Returns to England, and is readmitted to the King's councils, 404. The attainder against him and his father reversed, 406. Their enormous wealth, 406. Their fatal influence over the King, 408. Accompanies the King in his escape from the Queen's party, taken prisoner and executed, 414

Devizes, castle of, Hubert de Burgh a prisoner in the, 190

Devonshire, origin of the name, 34

Divorce, questions as to, settled by the Ecclesiastical Courts, 139–145

Doctors' Commons, history of, 146

Dom-boc, Doom-book, or Book of Laws, of the Anglo-Saxons, 111

Domesday Book, drawn up by order of William the Conqueror, 47. Where the original book is deposited, 47. Account of English agriculture given in the, 48. Enumeration of royal forests in, 251

Dorset, meaning of the name, 33

Douglas, Sir James, joins Robert Bruce, 328. Takes the castle of Arran, 332. Reduces Selkirk and Jedburgh to obedience, 373. Takes the castle of Roxburgh by stratagem, 376. Commands part of the Scots' army at the battle of Bannockburn, 383. Assists in the attempt to take the Queen of England at York, 398. Fails, but ravages the northern counties, 398

Douglas, Sir William, joins Wallace and his patriot band, 309

Dover besieged by the French under Louis, son of Philip Augustus, 163. The government of the castle taken from Hugh Bigod, and given by Henry III. to Edward de Waleran, 211. Besieged unsuccessfully by the troops of Henry III., 215

Druids, the, 7. Their religious tenets, 7. Remains of their temples, 7

Duke, first creation of the title of, in England, 337

Dumbarton, castle of, taken by Edward I., 303

Dunbar, Patrick, Earl of, serves in the army of Edward I., 302. His treachery to his countrymen, 316

Dunbar, battle of, 303

Dunbar, castle of, delivered up to the Scots

by the Countess of Dunbar, 302. Taken by Edward I., 303
Durham, occupied by the Scotch under Wallace, 314. And again by the Scots under Bruce, 376. Compelled to purchase a truce, 376
Dyfed, Welsh kingdom of, 269

EARL'S BARTON Church, Northamptonshire, 17
Ecclesiastical Courts, history of the, 138. The Canon Law, 139. Sketch of the history of similar courts on the continent, 139. The laity exhorted to submit to the Ecclesiastical Courts, 139. Spiritual matters and questions as to marriages and wills settled by them, 139. Amongst the Anglo-Saxons the clergy associated with the laity in administering justice, 140. The Ecclesiastical separated from the Civil Courts by William the Conqueror, 140. Consequences of this division, 141. Attempts to withdraw the clergy from the jurisdiction of the temporal courts, 142. The Constitutions of Clarendon, 144. Courts where the ecclesiastical law is administered, 146
Edinburgh, castle of, taken by Edward I., 303. Taken by Randolph, Earl of Moray, 377
Edmund, St., King and Martyr, his defeat and death, 19
Edmund I., ravages of the Danes during the reign of, 23
Edmund Ironside, state of the kingdom during the reign of, 23. His contests with the Danes, 26
Edmund, son of Henry III., the throne of Sicily offered to, 202. The offer at first refused by Henry for his son, 203. But at last accepted, 203
Edmund, Earl of Lancaster, brother of Edward I., empowered to negotiate a peace with Philip IV. of France, 297. Conditions of peace agreed on, 298. Philip seizes Gascony through treachery, 299. Edmund returns to England, 299. Goes to North Wales with a force of English, 300. His death, 304
Edward the Black Prince, the first English Duke, 337
Edward the Confessor, his parentage, 37. Chosen King of England, 37. His preference for the Normans to his own subjects, 38. Compelled to banish the Normans from his kingdom, 38. His laws, 110. His great seal, 136. State of England during his reign, 23
Edward the Elder, King, ravages of the Danes during the reign of, 23

Edward I., his Parliament, from an ancient illumination, 106. First appoints Judges of Assize, 120. Compelled to take the oath of obedience to the Council of State, 207. Takes part with De Montfort against the Earl of Gloucester, 209, 210. Goes to France to be present at a tournament, 210. Returns from France, and refuses to accept the absolution granted by the Pope to his father, 211. Takes the side of the Barons, 212. But subsequently supports his father against them, 213. Seizes treasure belonging to the citizens of London and carries it to Windsor, which he fortifies, 213. Plunders the country round Windsor, and marches with his foreign soldiers to Bristol, 214. Dismisses his men, 214. Outwardly reconciled to De Montfort, 215. Joins his father in again attacking the Barons, 215 De Montfort encamps at Southwark, 215. Attempts of the Prince to take De Montfort by surprise, but fails, 215. Takes the castle of Tutbury from the Barons, 218. Routs the Londoners at the battle of Lowes, but loses the fight for the King, 219. Kept in custody as hostage for the peaceable conduct of his father, 220. Confined first in Wallingford and afterwards in Dover Castle, 220. Negotiations for his release, 222. Makes his escape and joins the Earl of Gloucester at Ludlow, 224. Defeats young Simon de Montfort, 225. Attacks Newport and drives out the elder De Montfort, 225. His tactics for hemming in De Montfort in Wales, 226. Surprises young De Montfort while bathing in the Avon, 226. Out-manœuvres the elder De Montfort at Evesham, 226. And defeats and kills him in battle, 227, 228. Takes possession of the Cinque Ports, 230. Captures Winchelsea, 231. Takes Adam de Gordon prisoner, and pardons him, 231. Undertakes a new crusade against the Saracens, 232. Takes his wife Eleanor and the Earl of Gloucester with him, 233. Reaches the Holy Land, and takes Nazareth, 233. Narrowly escapes assassination, 233. Legend respecting his wife Eleanor and his poisoned wound, 233. Returns home, 233. Death of his father, Henry III., and his accession to the throne, 233, 250. Date of his birth, 246. Contrast between the characters of Edward I. and of Henry III., 249. Edward's personal appearance, 250. Great events of his reign, 250. State of England at the time of his accession, 251, *et seq.* Still in the Holy Land at the

death of his father, 262. At once acknowledged King, 262. Guardians appointed till his return, 262. Hears of his father's death while in Sicily, 263. Sets out on his return, 264. Passing through France, is challenged to a tournament, 264. Suspects treachery, 264. Attacked by the Count of Chalons, who is killed, 264. Does homage as a feudal vassal to the King of France, 264. Visits Gascony, and receives the homage of his subjects there, 265. Visits the Pope, Gregory X., at Lyons, 265. Lands in England, 265. Entertained on his way to London by the Earls of Gloucester and Warrenne, 265. Crowned, 265. Homage done to him by Alexander III. of Scotland as his feudal lord, 265. Edward's vigour and love of justice, 265. Holds a parliament at Westminster, at which the Statutes of Westminster the First, are passed, 266. Objects of these laws, 266. Edward's war with Wales, 268. Origin of the war, 270. Edward summons Llewellyn, Prince of Wales, to do homage to him, 270. Refusal of Llewellyn, who ravages the borders of England, and allies himself to the King of France, 270. 271. Edward takes Llewellyn's bride, Eleanor de Montfort, prisoner, 271. Attacks the Welsh with small success, 272. And invades Wales the following year, determined to conquer, 272. Cuts his way through a forest to Rhuddlan Castle, 272. Invades Angles-ey, 273. Compels Llewellyn to sue for peace, and returns to England, 273. Makes a pilgrimage with the Queen to Glastonbury Abbey, 273. Rebuilds the castle of Llan-padarn Vawr, or Aberystwith, 273. Makes a pilgrimage to the bones of King Arthur at Glastonbury Abbey, 274. And seeks to destroy the belief of the Welsh in his return to earth, 275. Turns his attention to improving the condition of England, 276. Issues writs of *Quo Warranto*, 276. Resistance of the Barons, 276 Improves the coin of the realm, 276, 277. Visit of Llewellyn to London to do homage, 277. Edward summons Llewellyn to attend a parliament, which he refuses to do, 278. Goes down to Wales to watch Llewellyn, 278. Allows Llewellyn to marry Eleanor de Montfort, 278. Goes with the Queen to France to do homage for Ponthieu in Picardy and for Aquitaine, 278. Gives up all pretensions to Normandy, 278. Returns to England and turns his attention to the improvement of his dominions, 278. Improves the coinage of the kingdom, 278. A new rebellion in Wales, 279. The Statute of Mortmain passed, 279. Edward again invades Wales, 280. Sends the Archbishop of Canterbury to offer peace, 280. Llewellyn's list of grievances, 280. Edward summons a large army to invade Wales, 281. Again takes Angles-ey, 281. Builds a bridge of boats across the Menai Straits, 281. His men attacked by the Welsh, and great numbers slain, 282. Llewellyn killed and his followers dispersed, 282, 283. Edward remains in Wales, and rebuilds the castles, 283. Birth of his son, the Prince of Wales, at Caernarvon, 283. Returns to London, 283. Goes to France, 283. Returns, 285. His reformation of abuses in the administration of justice, 285. Asks the Maid of Norway in marriage for his son Edward, 287. Appealed to by the Scotch Estates and by the King of Norway for his advice and mediation, 287. Appoints a meeting at Salisbury, 287. Arrangement come to at this conference, 287. Sees an opportunity of uniting Scotland with England, 287. Obtains a dispensation from the Pope to marry his son Edward to his cousin-german the Maid of Norway, 287, 288. Obtains the approval of the Scotch nobles to the proposal, 288. Concludes a treaty with the guardians of Scotland, with an important reservation, 288. His feudal rights over part of Scotland, 288, 289. Death of the Maid of Norway, and struggles of the competitors for the Scottish throne, 289. Edward consents to assist the Scotch in choosing a king, 289. Sets out with the Queen for Scotland, 289. Her death, 290. Returns to London, 290. Calls a meeting of Scotch nobles at Norham, 291. Asserts his claims as Lord Paramount of Scotland, 291. His claim admitted by all the competitors for the Scottish throne, 292. Meeting of the competitors at Berwick, 292. Edward makes a progress through Scotland, 292. Takes the various claims into consideration, 293. Decides in favour of John Baliol, 294. But behaves unjustly towards him, 295. Edward released from his promises and oaths by Baliol, 295. Compels Baliol to appear before him in England, 295, 296. Advised by Parliament to seize the three strongest castles in Scotland, 296. But fears to go too far, 296. Quarrels with France, 296. Origin of the dispute, 296. Philip IV. attempts the seizure of Edward's French dominions, 297. Gives his brother Edmund, Earl of Lancaster, power to negoti-

EDW

ate a peace, 297. Treachery of the King of France, 298. Conditions of peace agreed on, 298. The province of Gascony taken by Philip through treachery, 299. Edward summons a parliament, 299. Renounces his fealty to Philip, and prepares for war with France, 299. Adopts illegal means for raising the money, 299. War declared against England by the King of Castile, 300. Edward detained by contrary winds at Portsmouth, 300. Appoints commanders to go in his stead, and returns to London, 300. Fresh disturbances in Wales, 300. Edward entirely subdues the Welsh, 301. Demands assistance as Lord Paramount from John Baliol, King of Scotland, 301. Refusal of Baliol, 301. Preparations for war, 301. The war breaks out in Newcastle-upon-Tyne, 301. Edward marches towards Scotland, takes Berwick-on-Tweed, and massacres its inhabitants, 302. Baliol formally renounces his allegiance to Edward, 302. Edward advances steadily into Scotland, 302. Sends the Earl of Surrey to recover the castle of Dunbar, 303. Takes five castles, and goes to Perth, 303. Surrender of Baliol, who is sent prisoner to the Tower of London, 303. Carries away the great stone of Scone, 303. Settles the affairs of Scotland, and returns home, 304. Tries to raise money for the war with France, 304. The laity grant an aid, but the clergy refuse, 304. The King puts the clergy out of his protection, 304. Good effects of his struggle with the Church, 305. Enters into an alliance with the Earl of Flanders to make war on France, 305. Continues his illegal means of raising money, 306. Summons the Barons to meet him at Salisbury, 306. The Barons refuse to go to Gascony, 306. Great quarrel between Edward and the Barons, 306. Edward summons the Barons to assemble at Winchelsea, and they refuse, 307. Again summons the Barons to invade France, 307. Asks pardon of the people, and makes an effort at reconciliation with the clergy, 307, 308. Sets sail for Flanders, 308. Disturbances in Scotland, 308. Total defeat of the King's forces there, 312. Edward signs a truce for two years with the King of France, 313. Returns to England, and marches to Scotland with an immense army, 313. Wallace's tactics, 315. Edward defeats the Scotch at the battle of Falkirk, 316. Compelled by Wallace's tactics to return to England, 317. The confirmation of the Charter of Forests demanded, 318. Edward yields, but evades performance of

EDW

the survey of the forests, 318. Concludes peace with France, and marries Margaret, sister of Philip IV., 318. Prepares for the third invasion of Scotland, 318. Thwarted by the dissatisfied Barons, and compelled to return to England, 319. Solemnly ratifies the charters, 319. The fourth invasion of Scotland determined on, 319. Edward gains considerable advantages in Scotland and returns to England, 319. A truce between England and Scotland brought about by the Pope, 319. Claims of the Pope to the sovereignty of Scotland, 319. The King's answer to the Pope's summons, 319. Dissatisfaction of the Barons as to the question of the forests, 320. The King yields to their demands, 320. And confirms the great charters, 320. His fifth invasion of Scotland, 321. Winters in Scotland, 321. Induced by the King of France to grant the Scots another truce, 321. Returns to England, 321. Makes a permanent peace with Philip IV. of France, 322. Resumption of the wars in Scotland, 322. Sixth invasion, 322. Marches northwards, and gives command of an army to his son Edward, 322. Drives the Scottish leaders into the wilds and fastnesses, 322. Submission of Scotland to Edward, 323. Wallace excepted from the general amnesty, 323. Edward besieges and takes Stirling Castle, 323. His cruelty to the garrison, 324. Wallace betrayed by his countrymen, and put to death by Edward I., 324. Edward returns to England, 325. Directs his attention to the reformation of abuses in England, 325. Imprisons his own son, the Prince of Wales, 326. Obtains absolution from the Pope from his oath about the forests, 326. Revolt of the Scotch under Bruce, 326. Determination of Bruce to be King of Scotland, 328. Bruce crowned King at Scone, 329. Edward prepares to invade Scotland for the seventh time, 329. Knights his son Edward, 329. Success of Robert Bruce, 333. Edward determines to march in person against his enemy, 333. Dies at Burghley-on-the-Sands, 333. His burial-place, 333. Review of his reign, 333. His family, 333. Genealogical table showing the descent of Edward I., 341. His dying commands to his son Edward, 347.

Edward II., King of England, the Maid of Norway asked in marriage for him, 287. A dispensation obtained from the Pope, 288. Left in charge of the kingdom during his father's absence abroad, 310.

Summons a parliament in London to consider the affairs of Scotland, 312. Refusal of the Barons to attend unless their grievances are redressed, 312. Edward promises redress, 312. Created Prince of Wales and Earl of Chester, 321. Takes command of part of the English army in Scotland, 321, 322. His whole course marked by smoke and devastation, 322. Imprisoned by his father for killing the Bishop of Lichfield's deer, 326. Knighted at Westminster, and then knights 300 youths in the Temple Gardens, 329. Makes a solemn vow to continue the war with Scotland till it is conquered, 330. Ascends the throne, 333. His character, 345. Disobeys all the dying commands of his father, 347, 348. His inordinate affection for Piers Gaveston, 346, 348. Prepares for a renewal of the war with Scotland, 348. Receives the homage of Scotch nobles at Dumfries, 348. Returns to England with Piers Gaveston, whom he creates Earl of Cornwall, 348. Intrusts the command of the army in Scotland to Aymer de Valence, Earl of Pembroke, 348. Marries his niece Margaret to Gaveston, on whom he heaps other honours, 349. Seizes the property of the Templars, 353, 354. Orders their arrest, 354. And yields to the Pope's demand to put them to the torture, 355. Goes to France and marries Isabella, daughter of Philip IV. the Fair, 356. Appoints Gaveston guardian of the kingdom during his absence, 357. The banishment of Gaveston demanded by the Barons, 357. Edward and his queen crowned at Westminster Abbey, 357. His coronation oath, 357. Compelled by the Barons to send Gaveston to Ireland, 359. Complaints of the Barons of the oppressions of the King's officers, 359. Confirms the Great Charter and the Charter of Forests, 359. Obtains leave for Gaveston to remain Earl of Cornwall, 360. Recalls his favourite, whom he carries to Langley in Hertfordshire, 360. Puts down tournaments by proclamation, 360. Summons a parliament at York, at which some of the Barons refuse to be present, 360. Threatened rebellion of the Barons if Gaveston is not banished, 361. Sends to Gascony for soldiers, who are not allowed to pass through France, 361. Agrees to the appointment of a Committee of "Ordainers" to reform the kingdom, 361. Invades Scotland, 362. Utterly despised by Robert Bruce, 362. Gains no lasting victory, and retires to Berwick, 362 Returns to London, and confirms the Ordinances, 363, 364. But makes a private protestation against them, 364. His favourite Gaveston banished by Parliament, 364. But returns to England, 365. Edward keeps his Christmas at York in company with Gaveston, 365. And commands all sheriffs to restore Gaveston his estates, 365. Disgust of the Barons and their preparations for resisting the King, 365, 366. Demand of the Barons that Gaveston shall be given up to them or again banished, 366. Flight of the King and Gaveston, 366, 367. Gaveston taken prisoner by the Barons and put to death, 367. The King's grief, 368. Demands of the armed Barons, 368. Edward sends ambassadors to treat with them, 368. Effects a reconciliation, 368. His insincerity, 369. Birth of his eldest son (afterwards Edward III.), 369. Goes with the Queen to France, 369. Returns and summons a parliament, 370. Quarrels again with the Barons and compels them to humble themselves and beg his pardon, 370. Invades Scotland in great force, but is defeated by Bruce, 371. Dismisses the Earl of Pembroke from the government of Scotland, and appoints John de Bretagne, Earl of Richmond, in his stead, 371. Dismisses Richmond, and appoints three joint governors of Scotland, 372. Successes of Bruce, 372–374. Edward invades Scotland in person, 374. Defeated by Bruce's tactics, 374. Returns to Berwick, 374. The war carried by Bruce into England itself, 375. Edward makes immense preparations for the relief of Stirling Castle, 378. Marches with above 100,000 men to Scotland, 379. Advances to the relief of Stirling Castle, 383. Defeated at Bannockburn, 386. Troubles caused by the King's treachery, 391. His new favourite, Hugh le Despenser the Younger, 389. Provides means to attack Scotland, 390. Reconciled to the Earl of Lancaster, whom the King appoints to the command of the army assembled for the invasion of Scotland, 390. The army disbanded, and Lancaster considered a traitor, 390. Singular mode of letting the King know the feelings of the people towards him, 391. Edward endeavours by help of the Pope to bring about a truce between England and Scotland, 392. Reconciliation effected again between the King and Lancaster, 393. Promises again to observe the Ordinances, 393. Berwick

Castle taken by Bruce, 393. Edward lays siege to Berwick, 396. But is compelled to raise the siege, 397. Attempts of the Scots to seize the Queen, 398. Concludes a two years' truce with Bruce, 398. Appoints Hugh le Despenser the Younger his Chamberlain, 399. Goes to France to do homage for the Duchy of Aquitaine, 400. Quarrels with the Barons again, 400. Yields to their demands, 402. Return of the younger Despenser, 404. Preparations of the King to attack the Barons, 405. Marches through the country, compelling the Barons to submit to him, 405. Takes the Earl of Lancaster, who is executed at Pontefract, 406. Defeats the Barons everywhere, 406. Reverses the sentence of attainder against the Despensers, 406. Brings about the annulling of the ordinances, 406. Makes formidable preparations for the invasion of Scotland, 407. Compelled to retreat, 407. Concludes a truce with the Scots for thirteen years, 407. Summoned by Charles the Fair, King of France, to do homage for his French dominions, 408. Fails to attend to the summons, 408. Guienne and Gascony seized in consequence, 408. Edward sends his brother and the Archbishop of Dublin to do homage to the King of France, 409. Fresh quarrel between the Kings of England and France, 409. Aquitaine and Poitou seized by Charles, 410. Edward vents his spite on the Queen, Charles's sister, 410. Sends the Queen and his son to France, 410. Arranges his differences with the King of France, 411. Makes over his French possessions to his eldest son Edward, 411. Prejudiced by the Despensers against the Queen, who will not return to England, 411, 412. The Queen lands in England with a force of 3000 men, 412. The King issues a proclamation which is not responded to, 412. Embarks on board ship to escape to Ireland, 413. Takes refuge in the abbey of Neath, 413. Taken prisoner by the Earl of Lancaster, 414. His son Edward appointed guardian of the kingdom, 414. Deposed, and his son made King, 414. Murdered in Berkeley Castle, 415

Edward III., his birth, 369. His father taken prisoner and he declared guardian of the kingdom, 414. His father deposed, and he made King in his stead, 414. His father murdered, 405. Grants to justices of the peace the power of trying felonies, 123

Edwin, King of Northumbria, converted to Christianity, 18.

Egbert makes himself first King of all England, 18

Eleanor, Queen of Henry II. of England, 57. Incites her sons to rebel against their father, 62.

Eleanor, Queen of Henry III., her marriage, 192. Insulted by the Londoners, 214. Collects an army and fleet in Flanders to invade England and deliver her husband from the power of the Barons, 221. Prevented from leaving port—her army melts away, 221, 222. Death of Henry III., 233. Eleanor becomes a nun at Ambresbury, 246. Her burial-place, 246

Eleanor, sister of Henry. III. of England, 198. Married to Simon de Montfort, Earl of Leicester, 198

Eleanor, wife of Prince Edward (afterwards Edward I.), accompanies her husband to the Holy Land, 233. Saves her husband's life, 233. Accompanies her husband on his journey to Scotland, 289. Dies on the way, 290. Progress of the royal funeral from Grantham to Westminster, 290. Grief of her husband at her loss, 290. Crosses set up to her memory, 290, 291. Statues of her on the cross at Northampton, 290. Buried at Westminster, 291

Elections, freedom of, secured by the Statutes of Westminster, 267

Ely, Isle of, laid waste by Fulke de Bréauté, 172. The Barons take refuge in the, 231

Emma, Queen, widow of King Ethelred the Unready, married to King Canute, 26

England, state of, 2300 years ago, 3. Visits of the Phœnicians, 3. Its ancient inhabitants, 4. Invasion of the Romans under Cæsar, 9. And of the Picts and Scots, 11. Effects of the Roman invasion on the kingdom, 12. Introduction of Christianity, 13. Arrival of the Saxons, 14. Kingdoms formed by the Anglo-Saxons, 16. Christianity firmly re-established, 18. Invasion of the Danes, 18. State of England during the reign of Alfred, 20. And during the reign of his immediate successors, 23. The kingdom divided between Edmund Ironside and Canute, 26. Division of England into shires (or counties), hides, parishes, &c., 28, 30. Origin of the ownership of landed property, 29. Duty of the tithing-man, or head-borough, 32. In some parts of England there are no shires, in others all shires, 32. Traces of the Danes in the names of places, 35. Danish names

of places easily distinguished from Anglo-Saxon, 35. Danish names principally in the north of England, 36. Danish and Anglo-Saxon endings of names compared, 36. The Danes finally driven out of England, 37. Invasion of William the Conquerer, 39. The counties of Surrey, Buckinghamshire, and Hertfordshire ravaged on William's way to London, 44, 45. The north also ravaged by the Normans, 45. Vineyards in the time of William the Conquerer, 49. England laid under an interdict in the reign of King John, 70. Position of England at the death of King John, 75. The feudal system in England, 78, *et seq.* Origin of the property in land, 79. Way in which the feudal system was introduced into England by William the Conqueror, 96. Further information as to the tenure of land and division of the nation into classes, 98. Thralls, villeins, or slaves, 99. English slaves exported in large numbers to Ireland and Scotland, 100. "Lordless men," or outlaws, 100. Ceorls, or churls, 100. Thanes or lords, and eorls or earls, 101. The Anglo-Saxon kings' journeys to their farms or manors to administer justice, to make laws, and to govern the country, 102. Origin and history of Parliament, 104. History of the laws of England, 108, *et seq.* And of the courts of law, 110. And of chancery, 132. State of England during the reign of Henry III., 156. Possessions of England in France, and how acquired, 158, 159. Military operations of the French and Barons against Henry III., 163. The manners of the reign of Henry III., illustrated by the history of Fulke de Bréauté, 170. History and origin of fairs in England, 180. Origin of the constitutional mode of obtaining redress of grievances, 184. Sources of revenue in the 13th century, 184. The wars with France a constant source of expense in the reign of Henry III., 184. Louis VIII. on his accession refuses to give back the French provinces to England, 185. Henry demands an aid to enable him to invade France, 185. Refusal of the Barons to do so, unless their liberties are secured, 185. The aid granted on the confirmation of the two charters, 185. Henry sends his brother Richard, Earl of Cornwall, into France to attempt to recover his provinces, 187. An armistice concluded, 187. The war with France begun again, 188. The King's struggles with the Barons, 189. The Pope's oppression of the English clergy, 193. The Pope (Innocent IV.) obtains a contribution of 11,000 marks from England, 197. Hundreds of foreigners appointed by the Pope to vacant English livings, 197. Livings kept vacant by Henry III. for his own benefit, 197. The English preyed on by both King and Pope, 197. Progress of the struggle between Henry III. and the Barons, 200. The "Mad Parliament," 206. The Provisions of Oxford, 206. Prince Edward (afterwards Edward I.) takes part with the Barons, 211, 212. Civil war between the King and the Barons, 213. The King defeated and taken prisoner by the Barons at the battle of Lewes, 219, 220. The whole military force of the kingdom assembled on Barham Downs to oppose the Queen, 221. Town burgesses for the first time returned to Parliament—origin of the *House of Commons*, 222. Defeat of the Barons at the battle of Evesham, 227, 228. The defeated Barons' estates confiscated by the King, 230. The dispossessed Knights and Barons become banditti, 230. Henry III. directs his attention to the *improvement* of his kingdom, 232, 234. Remarkable Englishmen of the reign of Henry III., 235. Robin Hood and the outlaws, 236. The troubles of England during the reign of Edward I. all tend to its future weal, 250. Picture of the state of England during the 13th century, 251. Density of the wooded lands, 251. The high roads and cross roads, 252, 253. Way of travelling, 253. Houses of the 13th century, 257. Food of that period, 259, 260. Trade and manufactures of England of the reign of Edward I., 261. Wars with Wales, 268. Llewellyn ravages the English borders, 270. All Wales, except Anglesea, given up to Edward I., 273. One-thirtieth of all moveables granted by Parliament for the cost of the war in Wales, 273. Improvements in the condition of England effected by Edward I., 276. Great numbers of Jews thrown into prison, 277. Normandy given up to the King of France, 278. Recommencement of the war with Wales, 279. End of the wars with Wales, 283. Matters relating to the social life of England in the reign of Edward I., 284. Edward I. begins to plan the union of Scotland with England, 287. A treaty concluded between England and Scotland, with an important reservation, 288.

Boundaries between England and Scotland in the reign of Edgar, 289. War between England and France, 296. And with Scotland, 301. Continuation of the war with France, and English affairs arising therefrom, 304. Disturbances in Scotland, 308. The English defeated at the battle of Stirling Bridge, 311, 312. The north of England ravaged with great cruelty by Wallace, 314. Peace concluded with France, 318. The third and fourth invasions of Scotland, 318, 319. Truce with Scotland, 319. The fifth invasion of Scotland, and subsequent truce, 321. The sixth invasion, 322. Submission of Scotland, 323. Edward directs his attention to the reformation of abuses in England, 325. The seventh invasion of Scotland, 329. Character of the reign of Edward II., 345, *et seq.* The North of England harassed by the Scots, 369, 375, 378. The English entirely defeated at Bannockburn, and the war again carried into England, 386. Scarcity of food throughout the country, 387. Quarrel between England and France, 408. Peace concluded, 409. Preparations of the Earl of Flanders to invade England, 411

Englefield, battle of, 19

English people, slavery common amongst them in the time of King Alfred, 21. Sprung mainly from the Anglo-Saxon race, 27. Dean Trench on the importance of knowing the origin of the English race, quoted, 34. Illustration of English manners and customs in the reign of Henry II., 58. Union of the Normans and Saxons in the reign of King John, 68. The Anglo-Saxons made slaves by the Norman conquerors, 99

Eorls, or Earls, of the Anglo-Saxons, 101. What constituted an Eorl, 101. The duty of the Eorl as President of Courts of Law, 110, 111. Always assisted by one of the clergy, 111

Equity, Court of. *See* Chancery, Court of

Eric, King of Norway, his daughter, the Maid of Norway, 286. Asks Edward I. to treat of Scotch affairs, 287

Essex, foundation of the Anglo-Saxon kingdom of, 16. Origin of the name of, 34

Ethelbert, King of Kent, 17. Receives St. Augustine, and is converted to Christianity, 18. His code of laws, the earliest on record, 109

Ethelburga, Queen of Northumbria, converted to Christianity, 18

Ethelred, King, with his brother Alfred, defeats the Danes at Reading, 20. Ravages of the Danes during the reign of, 23. Imposition of Dane-gelt, 24. Flies to Normandy, 25. Called back from Normandy, 26. Attacks and disperses the Danes, 26. Gathers an army to oppose Canute, 26. Retires to London, 26. His death, 26. His widow Emma married to King Canute, 26

Ethelwulf, the ealdorman, defeats the Danes at Englefield, 19

Eustace the Monk, Admiral of the French fleet, defeated by the English under Philip de Albiney and John the Mareschal, 167

Evesham, Simon de Montfort, out-manœuvred by Prince Edward (afterwards Edward I.) at, 226. Defeat and death of De Montfort and of his son Henry at the battle of, 227, 228. Ballad describing the battle, 229

Exchequer, Court of, as constituted by the Normans, 114. Origin of the word, 115. Its ancient jurisdiction, 116. The Judges of the, thrown into prison by the Barons, 217

Excommunication, a papal, 70

Exeter, Bishop of, his house plundered by the party of Queen Isabella, 413

Ezekiel, the Prophet, his mention of the trade of the Phœnicians in tin, 3

FAIRS, history and origin of, in England, 180. Important as a source of revenue, 180. Antiquity of fairs, 180. Originated in pilgrimages to sacred places, 180. By degrees became markets, 180. King's tolls levied on all goods sold at fairs, 180. Licenses sometimes granted, 181. Bartholomew Fair, 181. Fairs constantly held in churchyards, 181. All trade near fairs stopped during the fair, 181. This custom abused by Henry III. to increase his tolls, 181, 200. The great fair of St. Giles's Hill, near Winchester, 181. The Court of Pié Poudré, 182. Introduction of shows and games at fairs, 182. Fairs for many centuries the best markets, 182. The new fair of Westminster, 200

Falkirk, battle of, 316

Feudal system, the, in England, 78. Origin of the property in land, 79. Allodial lands and feudal lands, 80. Feudalism suited to ancient times, 81. Mutual service and protection the essence of feudalism, 81. Duties undertaken by the King's vassals or feudatories, 82. Military service, 82. Forms of tenure of land, 82. Socage tenure, 83. Free service and base service, 83. Certain and uncertain

service, 84. Other and curious forms of tenure, 84. Form of the oath of vassalage, 84. Origin of homage, 85. Form of investiture of a tenant, 86. Results of feudal customs springing from the obligation of military service, 86. The possessor of land bound to fight for his lord, 86. The lord the guardian of his vassal's heir, 87. The lord's control over the marriage of females, 87. Abuses of the feudal system, 88, 95. The King's power over the marriage of heiresses often sold, 88. Reliefs, fines, aids, and heriots, 88, 89. Good effects of the feudal system, 91. Its encouragement of fidelity and bravery, 91. Gives birth to chivalry, 91. Knights, 92. Tournaments, 93. Results of feudalism, 94. Power of the Barons, 94. Liberty springs from the struggles of each rank with that above it, 94. Payment instead of service, 95. Scutages, 95. Interference of Magna Carta to prevent abuses, 95. The feudal system established in England by the Normans, 95. Way in which the system was introduced by William the Conqueror, 96. The Anglo-Saxon land-bocs, or title-deeds, destroyed by William, and the land given to his followers, 96. Further information as to the tenure of land, and division of the nation into classes, under the feudal system, 98. Manors, 98. Common land, 98. Thralls or villeins, 99

Fictions, legal, 116. Abolished, 117

Fifteenths, origin of, 184

Fir, Norway, used for wainscoting in the 13th century, 256

Fitzjohn, John, the Baron, kills and robs the house of Cockben Abraham, the Jew, 218. Gives half the plunder to Simon de Montfort, 218

Flanders, Earl of, enters into an alliance with Edward I. to make war on France, 305. Receives Isabella, Queen of England, 411. Espouses her cause, and prepares to invade England, 411

Flint Castle, rebuilt by Edward I., 273

Fontevraud, Henry II. buried at, 62. Also the burial-place of Richard I., 68

Food common in England in the 13th century, 260. An Act of Parliament passed regulating the price of, in the reign of Edward II., 387. This Act revoked, 388

Forest Laws, severity with which they were administered in the reign of Henry III., 201

Forest, the New, in Hampshire, mention of, in Domesday Book, 251

Forests, dense, in England, in the 13th century, 251. The five royal forests mentioned in Domesday Book, 251. Abundance of beasts, game, and robbers in, 252. Roads between forests widened by law, 252

Forests, Charter of, confirmed by Henry III., 185, 186. Confirmation of, demanded by the Barons, 318. Ratified by Edward I., 319. A new perambulation of forests granted, 320. The Pope grants Edward I. absolution from his oath as to the forests, 326. Charter confirmed by Edward II., 359

Forth, Frith of, the ancient boundary between England and Scotland, 289

France, wars with, in the middle ages, 50. The reign of Henry III. much occupied with wars with, 158. History of the English possessions in, 158. And of their seizure by Philip Augustus, 160. French acquisitions in England, 161. The wars with France a source of expense to England, 184. Louis VIII. on his accession refuses to give back the French provinces to Henry III, 185. Richard, Earl of Cornwall, sent into France to recover the French provinces, 187. An armistice agreed on, 187. Death of Louis VIII., and accession of St. Louis (Louis IX.), 187. The war with France begun again, 188. Wars of Edward I. with France, 296. Origin of the dispute, 296. Attempts of Philip to seize the English possessions there, 297. Edmund, Earl of Lancaster, empowered to negotiate a peace with Philip IV., 297. Treachery of the King of France, 298. Conditions of peace proposed by the Queen and Queen Dowager of France, 298. Gascony taken by treachery, 299. War with France resolved on by the English Parliament, 299. An English force landed in Gascony, 300. Continuation of the war with France, 304. Edward I. enters into an alliance with the Earl of Flanders, 305. And summons the Barons of England to accompany him, but they refuse, 306, 307. Edward sets sail on his way to France, 310. Truce for two years signed, 313. Peace concluded, and the sister of the King of France married to Edward I., 318. A permanent peace concluded between England and France, 322

Frank-pledge, the Anglo-Saxon system of, 126. Decay of frank-pledge, and rise of the modern system of witnesses, 127

Fraser, Sir Simon, driven into the woods by the English, 322

Frederic, Emperor of Germany, holds Sicily and Apulia of the Pope, 202. Adjudged to have forfeited them, 202. His sons, 203

Freehold tenants of manors, what, 98
Freeholders, rights of, to vote for members of Parliament, 105
Free service in the feudal system, 83
Frescobaldi, or Italian brokers, in England in the 14th century, 363
Fulke de Bréauté, history of, 170. His birthplace and parentage, 171. Makes his way to England, 171. Receives the castle of Bedford from King John for his services, 172. Lays waste the Isle of Ely, 172. Plunders St. Albans, 172. Harasses the Barons, 173. Makes friends with Henry III., and takes part in the siege of Lincoln, 173. Puts down a riot in London and conducts three traitors to be hanged, 173. Turns against the King and takes the side of the disaffected Barons, 174. Attempts to seize the judges who had condemned him for his misdeeds, 174. Takes Henry de Braybrooke prisoner, 175. Fortifies his castle at Bedford, and goes into Cheshire and Wales to raise more men, 175. His castle besieged and taken by the King, 175. His submission to the King, 176. Banished from the kingdom, 177. Lands in France, 179. Sentenced by the King of France to be hanged, but escapes, 179. Goes to Rome and appeals to the Pope to intercede with Henry for pardon, 179. His pardon obtained, 179. Dies on his way to England, 179

GALLOWAY, the English driven by Sir Edward Bruce out of, 372
Game in England in the 13th century, 252
Gaol delivery, meaning of a, 121
Gascony, invaded by Simon de Montfort, Earl of Leicester, 198. De Montfort made governor of, 199. Complaint of the Gascons of De Montfort's severity, 199. Prince Edward appointed governor of Gascony, 199. Revolt of the Gascon nobles, 199. The King's castles recovered, 199. Visited by Edward I., 265. Taken by Philip IV. of France through treachery, 299. Seized by Charles the Fair, 398
Gaveston, Piers, a favourite of Prince Edward (afterwards Edward II.), 322. Inordinate affection of Edward II. for him, 346. Banished by Edward I., 347. But recalled at the accession of Edward II., 348. Created Duke of Cornwall, 348. Married to Margaret, niece of the King, 349. Other favours heaped on him, 349. Amuses himself by turning the Barons into ridicule, 349. Holds a tournament at Wallingford, 350. Appointed guardian of the kingdom during the absence of the King in France, 357. His banishment demanded by the Barons, 357. Sent to Ireland as governor, 359. Refusal of Parliament to allow him to retain the earldom of Cornwall, 360. Consent of Parliament, however, obtained by the King, who recalls Gaveston, and goes to Chester to meet him, 360. Gaveston attends a Parliament at York, at which some of the Barons refuse to be present, 360. Threat of the Barons to rise in rebellion if Gaveston is not banished, 361. Gaveston advises the King to send to Gascony for soldiers, 361. Sent by the King to invade Scotland by the east coast, 363. Banished by Act of Parliament, 364. Goes to France and Flanders, 364. Foolishly returns to England, 365. And joins the King at York, 365. Restored to his estates by the King, 365. Demand of the Barons that he should be banished again, or delivered up to them, 365. Flees with the King from place to place, 366, 367. Taken prisoner, 367. Put to death, 367. Rejoicings thereat, 367. His burial-place, 368. Grief of the King, 368
Geddington, Queen Eleanor's cross at, 291
Geoffrey Plantagenet, Earl of Anjou, 54. His wife Matilda, 55. His son Henry II. of England, 56
Gewitena-gemote. *See* Witena-gemote
Glass, scarcity of, for windows, in the 13th century, 257. Seldom used, except in King's palaces and chapels, 257. Introduction of window-glass from Flanders, 257
Glastonbury Abbey, pilgrimage of Edward I. and his Queen to, 273. The bones said to be those of King Arthur there, 274. View of St. Joseph's chapel, 274
Gloucester, Earl of, jealousy between him and Simon de Montfort, 209. Open rupture between them, 210. Civil war prevented by the King of the Romans, 210. Deserts De Montfort and the Barons, and joins the Royalists, 223. Cause of his defection, 223. Joined by Prince Edward at Ludlow, 224. Accompanies Prince Edward to the Holy Land, 233. Swears fealty to Edward I., 262. Appointed one of the guardians of the realm during the King's absence, 262
Gloucester, Henry III., crowned at, 163. Taken by the Royalists, 224
Godric, his singular grant of land, 84
Godwin, Earl, compels the King, Edward the Confessor, to banish all Normans from

the kingdom, 38. His son Harold chosen King of England, 38
Goldsmiths, English, of the 13th century, 262
Gordon, Adam de, ravages the counties of Hampshire, Berkshire, and Buckingham, 231. Taken prisoner and pardoned by Prince Edward (afterwards Edward I.), 231
Gournay, Sir John, has charge of Edward II., 415
Gowerland, dispute between Edward II. and the Barons concerning the estate called, 401
Gravelinges Forest in Wiltshire, mention of, in Domesday Book, 252
Greek fire used by Edward I. at the siege of Stirling Castle, 324
Gregory the Great, sends St. Augustine and other missionaries to convert the inhabitants of Britain, 18
Gregory X., Pope, visited by Edward I. at Lyons, 265
Grievances, origin of the constitutional mode of obtaining redress of, 184
Gualo, the Pope's legate, meets the Loyalists at Newark, 164. His character, 168. Returns to Rome, 169
Guido, Cardinal (afterwards Clement IV.), sent by Pope Urban IV. to help Henry III. against his Barons, 222. Contents himself with stopping at Boulogne and excommunicating the Barons, 222. His bull of excommunication taken away from the bearers of it, 222
Guienne seized by Charles the Fair, 398
Guthrum, the Danish chief, defeated by King Alfred, and compelled to embrace Christianity, 23
Gwynedd, Welsh kingdom of, 269

HABEAS CORPUS Act, effect of the, 122
Hackney-men and their horses of the 13th century, 254. Their horses frequently stolen by hirers, 254. Royal regulations respecting hackney-men, 334
Hallamshire, a former county, 33
Hampshire, ancient name and meaning of, 34. The New Forest formed by William the Conqueror, 46
Hardicanute, his reign, 26. Oppresses the Anglo-Saxons, 27
Harold Harefoot, his reign, 26. Oppresses the Anglo-Saxons, 27
Harold II., chosen King of England, 38. His coronation, 38. His throne claimed by William, Duke of Normandy, 39. His death at the battle of Hastings, 40
Hastings, battle of, 39, 40
Hastings, John, Lord of Abergavenny, his claim to the throne of Scotland, 293. His descent from William the Lion, 293
Hawarden Castle, taken by David, brother of Llewellyn, Prince of Wales, 280
Heiresses, the King's power over the marriage of, under the feudal system, 87. This power often sold, 88
Henry I., Beauclerc, King of England, succeeds to the throne, 52. Marries Matilda or Edith, 53. Defeats his brother Robert and keeps him prisoner in Cardiff Castle, 53. Establishes the practice of sending justices itinerant over the country, 120. Divides the kingdom into circuits, 120. First introduces the trial by twelve sworn knights, 130
Henry II. defeats King Stephen, 56. Ascends the throne of England, 56. His other possessions, 57. His wife Eleanor, 57. His contests with the Pope, 57. Murder of Thomas à Becket, 57–60. Henry's penance, from an old painting, 60. His conquest of Ireland, 61. His great power, 61. Undutiful conduct of his sons, 62. His death and burial-place, 62
Henry III., his character and that of his reign, 75, 155. Occupied with wars with France, 158. His difficult position on his accession to the throne, 161. The Earl of Pembroke appointed his guardian, 162. His coronation at Gloucester, 163. Confirms the charter of his father John, 163. Military operations of the French under Louis and of Barons against the King, 163. Short truce agreed on, 163. Louis goes to France, but returns to England with more soldiers, 164. Increase of the strength of the King's adherents, 164. Loss of the castle of Mount Sorel, 164. Siege of Lincoln and utter defeat of the French forces, 164–166. Destruction of the French fleet under Eustace the Monk, 167. Peace made with Louis of France, 167. Arrangements made for the government of the kingdom, 167. Peace made with Alexander II. of Scotland and with Llewellyn, Prince of Wales, 167. Profligacy of Henry's mother, Queen Isabella, 168. Death of his guardian, the Earl of Pembroke, 168. Hubert de Burgh and Peter des Roches appointed joint guardians, 168. Rivalry between them, 168, 183. Beginning of the contests with the Barons, 169. Refusal of the Barons to give up the King's castles, 170. Compelled to submit, 170. Grants a confirmation of the liberties se-

cured by Magna Carta, 170. Riot in London, 173. Besieges and takes the castle of the freebooter Fulke de Bréauté, 175. Henry's abuse of the customs respecting fairs for the purpose of increasing his revenue, 181, 200. The King always in want of money, 183. Causes of this, 183. His constant wars with France, 184. Refusal of Louis VIII. to return the French provinces to Henry according to treaty, 185. An aid demanded by Henry to enable him to invade France, 185. Refusal of the Barons to grant it unless their liberties are secured, 185. Confirmation of the two charters, 185. The aid granted, 185. Description of the debate in which the aid was demanded, 185. Sends his brother Richard, Earl of Cornwall, with an army into France to recover the French provinces, 187. An armistice agreed on, 187. Dismisses Peter des Roches, and is guided for a time entirely by the advice of Hubert de Burgh, 187. Return of his brother Richard to England, 187. Compelled by Richard to enter into a compromise respecting the claim of the former to Berkhamsted Castle, 187. Represses the incursions of the Welsh, 188. Recommences the war with France, 188. The expedition postponed by want of shipping sufficient to convey the whole army, 189. Hubert de Burgh blamed for this miscarriage, 189. Henry sails for France, but returns after a few months of inglorious warfare, 189. Asks the Barons for more money, and is told he must get it from Hubert de Burgh, 189. Calls on Hubert for an account of his stewardship, 189. Sends Hubert a prisoner to the Tower, and subsequently to the castle of Devizes, 190. Restores Peter des Roches to favour, 190. Dismisses the English from power, and promotes foreigners, 190. Opposed by the Barons under Richard, Earl Marischal, 191. Dismisses the Poitevins, 191. Marries Eleanor, daughter of Count Raymond of Provence, 192. Recommences his favouritism for foreigners, 192. Resistance of the Barons, 192. Again yields to them, 192. His fickleness, feebleness, and faithlessness, 193. The Pope (Innocent IV.) levies contributions on the clergy, 195. Their resistance, 195. The King unites with them to resist the Pope's demands, 195. But eventually yields, 196. Keeps livings in the Church vacant in order to obtain the revenues, 197. Demands the restitution of Normandy from the King of France, 198. His favourite, Simon de Montfort, Earl of Leicester, 198. Sends De Montfort to invade Gascony, 198. Quarrels with De Montfort and is called by him a liar, 199. Sends his son, Prince Edward, over as governor of Gascony, 199. Revolt in Gascony, 199. Henry goes over to Gascony and puts down the rebellion, 199. His struggle with the Barons, 200. His extremities for money, 200. Lays the foundation for the constitutional mode of redressing grievances which prevails to this day, 200. Again abuses his privilege of proclaiming fairs, and causes a new fair to be proclaimed in Westminster, 200. Severity of the officers appointed to administer his forest laws, 201. Solemn scene on his again swearing to observe the charter, 202. Again breaks his oath, 202. His ambitious projects for his son, 202. The kingdom of Sicily offered to his son, Edmund, 202. Henry at first refuses the offer, 203. But at last accepts it, 203. Cannot obtain a grant of money to enable him to take possession, 203. Binds himself to pay the Pope all the expenses of the war, 203. Extorts the money from the clergy, 204. Demand of his Barons that the government shall be intrusted to a committee, 206. Gives his consent, 206. The Provisions of Oxford, 206. New officers of state appointed, 206. Reform of Parliament, 207. Henry visits St. Louis in Paris, 209. And agrees to an exchange of territory, 209. Delight of the two Kings in religious observances, 209. Civil war on the point of breaking out in England during his absence, 210. Compels all male persons of above twelve years of age to take an oath of fealty to him, 210. Grows "grievous weary" of the Provisions of Oxford, 211. And attempts to free himself from his oaths, 211. Makes Philip Basset Chief Justiciary, 211. Makes a circuit to the Cinque Ports, and gives the custody of them to Edward de Waleran, 211. Obtains absolution from the Pope, 211. Refusal of Prince Edward to accept the absolution, 212. The King's justices itinerant not allowed by the Barons to go their circuits, 212. Makes a compromise with the Barons, by which some of the Provisions of Oxford are confirmed, and the rest abrogated, 212. Causes the Pope's dispensation from his oath to be publicly proclaimed, 213. The Provisions of Oxford again urged on the King by De Montfort, 213. The King now vigorously supported by his

son Edward, 213. Both openly declared perjurers by the Barons, 213. Civil war begun, 213. The King refuses the petition of the Barons, and shuts himself up in the Tower of London, 214. Yields to the Barons, 214. The Queen insulted by the populace of London, 214. The King compelled to dismiss his foreign favourites, 214. Again publicly proclaims the Provisions of Oxford, 215. Goes with the Queen to France to confer with Louis on his disputes with the Barons, 215. Returns without any result, 215. Calls a parliament at Westminster, 215. Joins with his son, and recommences his attacks on the Barons, 215. Takes Windsor from the Barons, 215. Attempts to enter London, but is opposed by the citizens, 215. Besieges Dover Castle, 215. Submits his differences with the Barons to the arbitration of Louis IX. of France, 216. Louis's unsatisfactory decision, 216. The Barons return to arms, 217. Strength of the King's party compared with that of the Barons, 217. Preparations for a decisive struggle, 217. Takes the field against the Barons at the head of a formidable force, 218. His successes, 218. Ravages the sea coast and takes up his quarters in Lewes, 218. Receives a letter from De Montfort, whom he defies to single combat, 219. Defeated and taken prisoner at the battle of Lewes, 219. Conveyed to Lewes priory, 220. Kept by De Montfort in his own custody, 220. The kingdom governed in the King's name by De Montfort, 220. Henry gives his consent to the appointment of a council of nine to govern the country, 220. His Queen collects an army and fleet in Flanders to invade England and deliver her husband from the power of the Barons, 221. But her army melts away, 222. Vain efforts of the Pope to support the King against the Barons, 222. Determination of Parliament to release his son Edward, 222. Securities taken from the King and Prince, 223. The Earl of Gloucester deserts De Montfort and joins the King's friends, 223. Increase of the Royalist party, 223. Preparations for a renewal of the contest between the King and the Barons, 224. Escape of the Prince, who joins the Earl of Gloucester at Ludlow, 224. De Montfort and the Barons defeated at the battle of Evesham, 227, 228. Henry III. compelled to fight on De Montfort's side against his son and the Royalists, 228. His danger in the battle, 228. Triumph of the King over his enemies, 228. His conduct after the battle of Evesham, 230. His abuse of his victory, 230. Summons a parliament to meet him at Winchester, 230. Enacts severe measures against the defeated Barons and their followers, 230. Confirms the "Dictum of Kenilworth," and tempers his severity against the Barons, 231. Devotes himself to the improvement of his kingdom, 232. Exhorted by the Pope to be moderate, 232. His son Edward undertakes a new crusade, 232. Death of Henry III., 233. His burial-place, 233. Summary of his character, 234. Remarkable persons in his reign, 235. Henry's family, 246. Contrast between his character and that of his son Edward I., 249

Henry, nephew of Henry III., besieged in Rochester Castle by the Barons, 218. Relieved by the King, 218. Kept in custody as hostage for the peaceable behaviour of his father Richard, King of the Romans, 220

Heptarchy, the Anglo-Saxon, 16, 18. Made subordinate to Egbert, first King of England, 18

Hereford, Earl of, Constable of England, refuses to obey Edward I., 306. Returns to his county and resists the King's officers, 306, 307. Obtains a promise of redress of grievances from the King, 313

Hereford, Humphrey de Bohun, Earl of, joins the confederacy of the Barons to resist Edward II., 366

Heriots, what were, 89. Difference between heriots and reliefs, 89. Origin of heriots, 89, 90. Derivation of the word, 90. Heriots in the time of Canute, 90

Herodotus, his notice of the British Islands, 3

Hertford Castle, taken by Louis, son of Philip Augustus, 163

Hertfordshire ravaged by the Normans under William the Conqueror, 45

Hexham, monastery of, plundered by the Scots under Wallace, 314

Hexhamshire, the former county of, 33

Hide, the division of land so called, 31

High roads and cross roads in the 13th century, 252, 253

Homage, in the feudal times, origin of, 85.

Hood, Robin, his history, 236. Annual festivals held in his memory, 237. Anecdote of Bishop Latimer and Robin Hood's day, 237. Robin's personal character, 238. The ballad of Robin Hood, 239. His death, 244. His burial-place, 245

Horses of the ancient Britons, 6. Great numbers of, kept by the nobles of the

13th century, 252. Hackney-men's horses, 254, 334
Hospitality, abuse of, corrected by the Statutes of Westminster, 266
Houses of the 13th century, 255. The floors seldom boarded, 255. Materials of which houses were built, 256. Plastering and whitewashing, 256. Wainscoting, 256. Extent of royal wardrobes, 256. The wood-cellar, 257. Glass seldom used for windows, 257. A manor house of the 13th century, 258
Hundred, the division of land so called, 31
Hundred-courts, 110

INNOCENT IV., contributions levied by, on the English clergy, 195. Resisted by the clergy, and by the King (Henry III.), 195. Supplicated by the King and clergy, but only makes further demands, 196. Obtains a contribution of 11,000 marks from England, 197. Appoints hundreds of foreigners to vacant English livings, 197. Yields to the remonstrances of the clergy, 197
Interdict, a papal, 70
Ipswich ravaged by the Danes, 24
Ireland, Henry II.'s conquest of, 61. Great numbers of English slaves exported to, 100. Gaveston appointed governor of, 353
Isabella, widow of King John, marries her former lover, the Earl de la Marche, 168
Isabella, daughter of Philip IV., King of France, married to Edward II. of England, 356. Crowned, 357. Writes letters of complaint to her father, 361. Left by the King at Tynemouth, 367. Accompanies the King to France, 369. Attempts made by the Scots to take her prisoner at York, 398. Advises the King to yield to the demands of the Barons, 400. Refused admittance into Leeds Castle, 402. Turns in consequence against the Barons, 402. The King's French dominions invaded by Charles the Fair, 410. Edward's spite vented on the Queen, Charles's sister, 410. Sent to France to make peace, 410. Refuses to return to England, 411. Her suspected intimacy with Mortimer, 411. The King prejudiced against her, 411. Escapes from France to Flanders, 411. Lands in England with a small force, 411. Increased strength of her party, 412. Marches with her army to Oxford, 413. Besieges Bristol, which surrenders, 414. The King taken prisoner, 414. The Queen summons a parliament in London, 414. The King deposed, and his son Edward placed on the throne in his stead, 414. The Queen gives orders for, or consents to, the execution of the King, 415
Isaiah, his prophecy of the downfall of Tyre, 3

JEDBURGH, castle of, taken by Edward I., 303. And by Sir James Douglas, 366
Jerusalem taken by the first crusaders, 52
Jews, massacre of, in the reign of Richard I., 62, 63. Always the victims when money was wanted, 218. Cruelties inflicted on the, by the Barons in the reign of Henry III., 218. Harsh and despotic enactments against the Jews in the Statutes of Westminster, 268. Great numbers of, thrown into prison and put to death for clipping the coin, 277
John, King of England, his treachery to his brother Richard, 66, 67. His rebellion put down, 67. Succeeds to the throne, 68. Remarkable events of his reign, 68. Union of the Normans and Saxons in his reign, 68. His contests with his nephew Arthur, 69. Murders Arthur himself, 70. Loses his French provinces in consequence, 70. His quarrel with the Pope, 70. His cowardly submission to him, 71. His universal unpopularity, 71. Resistance of the Barons, 71. Takes an oath to govern England according to Magna Carta, 72. His final struggle with the Barons, 72. His death, 73. His tomb at Worcester, 73. His character, 75. Signs Magna Carta, 157. Tries to escape from its conditions, and appeals to the Pope for absolution, 157. History of his freebooter and friend Fulke de Bréauté, 170. His royal demesnes wasted by him, and given to the Barons whom he hired to help him, 183
John XXII., Pope, commands a truce between England and Scotland, 392. Failure of his messengers, 394. Who excommunicate Bruce, 394
Joseph, St., of Arimathea, chapel of, at Glastonbury Abbey, 274
Judges, itinerant, 120. Become Judges of Assize under Edward I., 120. Judges of Nisi Prius, 121. Great state with which Judges of Assize are received, 122. Judges fined by Edward I., 286
Jury, trial by, 123. Principles on which trial by jury depends, 123. Exact time of the first trial by jury not ascertained, 124. Principle established by Magna Carta that the prisoner must be tried by his equals, 124. The two kinds of juries, the Grand Jury and Common Jury, 125. Difference between the Anglo-Saxon juries

and those of the present day, 125, 126. The ancient trial by jury applied only to civil and not to criminal cases, 127. Trial by jury fully established by Magna Carta, 131. Importance of trial by jury, 132

Justice, administration of. *See* Courts of Law. Reformation of abuses in the administration of justice effected by Edward I., 285

Justices, itinerant, establishment of, 120

Justices of the Peace. *See* Magistrates

Justiciary, Chief or Grand, of the Normans, 114. His jurisdiction, 114

Jutes, their invasion of Kent, 17. Their original home, 17

KEITH, Sir Robert, his services on the field of Bannockburn, 386

Kenilworth, young Simon de Montfort takes up his quarters at the castle of, 226. Siege of the castle of, by the Royalists, 231. Reduced by famine, 231. "The Dictum of," 231. Tempers the severity of Henry III., 231. Confirmed by Parliament, 231

Kent, landing of the Romans in, 10. Invaded by the Jutes of Denmark, 17. Ravaged by the Danes, 25. Origin of the name of, 34.

Kent, Earl of, brother of Edward II., sent to do homage to Charles the Fair, 399. His performance of that duty not accepted by Charles, 399

King, the, his domains in feudal times, 80. Duties undertaken by his vassals, 82. And by his sub-vassals, 82. The Anglo-Saxon kings' journeys to their farms or manors to administer justice, make laws, and govern the country, 102. Their lesser and greater councils, 103. The maxim that "the King is the fountain of all law and justice," 109. Issued writs in important cases requiring justice, 112. The King's court the origin of all our courts, 112. His court of state held on his birthday at one of his palaces, 113. The King with his Privy Council, from an illumination, 113. Anciently the King carried justice all over the kingdom, 119. His mode of raising revenue in the 13th century, 183. His right of keeping the temporalities to himself, 184

King's Bench, Court of, origin of the, 115. Its ancient jurisdiction, 115. Its present powers, 117. Its special exclusive power to control all other courts whatsoever, and compel magistrates and others to do what the law requires, 117, 118. The judges of the, thrown into prison by the Barons, 217

Kirklees, Robin Hood supposed to be buried in the park of, 245

Knaresborough, honours of, conferred by Edward II. on Piers Gaveston, 349

Knight, education of a, under the feudal system, 92. Mode of investiture of a knight, 92. His martial amusements, 93. Tournaments, 93. Knights fighting, from the Royal MSS., 227

Knights Templars. *See* Templars

LANCASTER, Edmund, Earl of, brother of Edward I. *See* Edmund, Earl of Lancaster

Lancaster, Earl of, grandson of Henry III., consents to the favours heaped by Edward II. on Piers Gaveston, 349. Joins the Barons, in resisting Edward II., 366. Efforts of the King to draw him into his clutches, 370. Goes armed to Parliament, 370. Refuses to attend Edward II. to Scotland, 379. Reconciled to the King, and intrusted with the command of the army gathered together for the invasion of Scotland, 390. Returns home, suspected of being a traitor, 390. Reconciled again to the King, 393. His secret correspondence with Bruce about the Queen's person, 398. Deserts the King at Berwick, 398. Attacked by the King at Burton-on-Trent, 405. Taken and executed at Pontefract, 405

Lancaster, Earl of (son of the above), takes Edward II. prisoner, 403

Land, origin of the ownership of property in, 29. Origin of the division of land into parishes, 29. And into counties and marks, 30. Hides, tythings, and hundreds, 31. Trithings, or ridings, and rapes, 31. Origin of property in land, 79. Tenure in the time of the ancient Britons, 79. The land seized by the Saxon invaders, 79. Allodial lands and feudal lands, 80. Duties of the King's vassals or feudatories, 82. Tenants-in-chief, 82. Sub-vassals or sub-feudatories and sub-infeudation, 82. The Act of Parliament *Quia Emptores*, 82. Tenure of land under the feudal system, 82. Forms of tenure, 82 Socage, 83. Free service and base service, 83. Certain and uncertain service, 84. Other and curious tenures, 84. Modes of investing the vassal with the land, 86 The possessor of land bound to fight for his lord, 86. Reliefs, or fines, 88. Aids, 89. Heriots, 89. Land-bocs, or title-deeds of

the Anglo-Saxons, 96. The land-bocs destroyed, and the land given by William the Conqueror to his followers, 96. Further information as to the tenure of land in England under the feudal system, 98. Manors, 98. Commons of pasture, 98. Holding land in villeinage, 99. Manor Courts, or Courts Baron, for determining disputes relative to land, 118. Matters relating to landed property settled by twelve sworn knights, 130

Land-bocs, or title-deeds to land, of the Anglo-Saxons, 96. Seized by William the Conqueror, and the land given to his followers, 96

Lands, the northern counties of England so called, 33

Langley, King's, Piers Gaveston buried at, 368

Langton, Stephen, nominated by the Pope to the see of Canterbury, 70. King John's refusal to agree to the appointment, 70. Subsequently appointed, 71. Takes part with the Barons, 71

Language of the Celts of Britain, 5. And of Brittany, 5

———, the English, mainly sprung from that of the Anglo-Saxons, 27. Difference between English derived from the Norman-French or Latin and that from Anglo-Saxon, 28

——— of the Normans, 42

Latimer, Bishop Hugh, anecdote of him and of Robin Hood's day, 237

Law, Courts of. *See* Courts of Law

Laws of England, history of the, 108. The maxim that "the King is the fountain of all law and justice," 109. The earliest code of English laws, that of Ethelbert, King of Kent, 109. Mode of compounding for almost every kind of injury by money payments, 109, 110. Laws of Canute, 110. And of Edward the Confessor, 110. Modes of enforcing the laws in Anglo-Saxon times, 110. Shire-motes, or county courts, 110. Burg-motes, or town courts, 110. Hundred-courts, 110. Authority of the earl, 110, 111. One of the clergy always present, 111. The Dom-boc, or Book of Laws, 111. Mode of proceeding in the county courts, 111. Recapitulation of the sketch of English laws, 147. Endeavours of the Saxons to embody their laws in complete codes, 147. This not attempted in modern times, 148. Difficulties of the study of our law as a whole, 148. Opinion of the propriety of a code of our present laws, 148. The criminal code, 149. Value of a complete code, 149

Leather trade of the 13th century, 261

Leeds Castle, Kent, refuses to admit Queen Isabella, 404. Besieged and taken by the soldiers of Edward II., 404

Legal fictions, origin of, 116. Abolished, 117

Leicester, castle of, taken by Henry III. from the Barons, 218

Lewes, Henry III. takes up his quarters at, 213. Attacked by De Montfort, defeated, and taken prisoner, at the battle of, 219, 220

Liberty, origin of English, 94

Lincoln, Earl of, his dying injunctions to his son-in-law, the Earl of Lancaster, 366

Lincoln, Gilbert de Gand made Earl of, 162

Lincoln, the city of, in the hands of the French party, 164. Siege of the castle by the Count de la Perche, 164. The place relieved by the Earl of Pembroke, and the French utterly defeated, 165, 166. Woollen manufacture of, in the 13th century, 261

Lincolnshire, coast of, ravaged by the Danes, 24

Linlithgow Castle taken by surprise from the English, 376

Litters, or covered couches, of the 13th century, 254

Llan-padarn Vawr, or castle of Aberystwith, rebuilt by Edward I., 273

Llewellyn, Prince of Wales, makes peace with Henry III., 167. Intrusted with the custody of the King's castles of Caermarthen and Cardigan, 168. His hostages, 168. Supplies De Montfort with troops, 225. His men routed, 228. Agrees to furnish a contingent to Simon de Montfort and the Barons, 225. Summoned by Edward I. to do homage to him, 270. Refuses, and allies himself to the King of France, 270, 271. Ravages the English borders, 270. Obtains the consent of Philip III. to a marriage with Eleanor de Montfort, 271. Eleanor taken prisoner off the Scilly Isles, 271. Loses Rhuddlan Castle, 272. Wales invaded by Edward I., 272. Llewellyn compelled to sue for peace and give up all his territory except Anglesey, 273. Comes to London with his nobles to do homage to King Edward, 277. Summoned by Edward to attend a parliament, but refuses, 278. Married to Eleanor de Montfort, 278. Her death, 279. Recommencement of the war between England and Wales, 279. Peace offered through the Archbishop of Canterbury, 280. Refused by Llewellyn, 280. Wales invaded again by King Edward with a large army, 281.

Great numbers of the King's men slain by the Welsh, 282. Llewellyn goes to South Wales, 282. And is killed in a casual fight, 282, 283. His head cut off and carried down Cheapside in triumph, 283

London, founded by the Romans, 12. Attacked by Anlaf and Sweyn the Normans, 25. Names in London recalling the memory of the Danes and Northmen, 36. Massacre of Jews in, 62. Riot in London at a wrestling match in the reign of Henry III., 173. The gates and streets of, guarded by the Barons during the absence of Henry III. in France, 210. All male persons of above twelve years of age compelled to take an oath of fealty to Henry III., 210. The treasure of, seized and the city fortified by Henry III., 211. A large amount of treasure belonging to the citizens seized and carried away to Windsor by Prince Edward (afterwards Edward I.), 213. Council of the disaffected Barons held in London, 213. The King shuts himself up in the Tower, 214. The Queen of Henry III. insulted by the people, 214. The entry of the King into the city opposed by the citizens, 215. The city held by the Barons in their struggle with Henry III., 217. Every male citizen above twelve years sworn to be true and faithful to the Barons against the King, 217. Fifteen thousand citizens march against Henry III., and are routed by Prince Edward at the battle of Lewes, 219. Deprived by Henry III. of their charter, 230. Their charters restored to them, 233. Visit of Llewellyn, Prince of Wales, to London, where the Welsh are laughed at, 277. The charter of London again taken away, 285. Excesses of Queen Isabella's party in London, 413

"Lordless men" among the Anglo-Saxons and Normans, 100

Lords, House of, its origin, 103, 104. Its first separation from the Commons, 107. *See* Parliament

Lordships. *See* Manors

Lord's Prayer, preponderance of Anglo-Saxon words in the, 27

Lorn, Lord of, pursues Bruce relentlessly, 373. Bruce's revenge, 373

Louis, son of Philip Augustus, afterwards Louis VIII., offered the crown of England, 157. Pretends he has a right to it, 158. Lands at Sandwich and lays siege to the castle of Rochester, 161. Besieges Dover, but fails to take it, 163. Takes Hertford and Berkhamsted Castles, 163. Levies contributions on St. Albans, 163. A short truce agreed on, 163. Returns to France, but comes back to England with larger forces, 164. Relieves Mount Sorel, levies a second contribution on St. Albans, and pillages the church of St. Amphibalus, 164. His troops lay siege to Lincoln Castle, 164. Defeated and their commander killed, 166. His fleet, under Eustace the Monk, also defeated, 166. Shuts himself up in London, but finally makes peace and returns to France, 167. The conditions of peace, 167. His accession to the throne as Louis VIII., 185. Refuses to give back the French provinces to Henry III. according to treaty, 185. Enters Poitou with a numerous army, 185. Henry's brother Richard, Earl of Cornwall, sent to France to attempt to recover the French provinces, 187. An armistice agreed on, 187. Death of Louis, and accession of his son, St. Louis, 187

Louis IX. of France (St. Louis), his accession to the throne, 187. Visited by King Henry III. of England, 209. Delight of the two kings in religious observances, 209. The differences between Henry III. and his Barons submitted to Louis for arbitration, 216. Louis's remarkable piety and virtue, 216. His unsatisfactory decision, 216. Goes to the crusades, 233. His death, 233

Lundin, Sir Richard, a renegade Scotch knight, 311

Lyons, residence of the Pope at, 265

MAGISTRATES, duties of, 122, 123. First appointment of, 122

Magna Carta, extorted from King John by the Barons, 72, 157. Provisions of the charter, 72. Its interference to prevent abuses of the feudal system, 95. Establishes the principle that the prisoner must be tried by his equals, 124. Fully established trial by jury, 131. Confirmed by Henry III., 185, 186. Solemn scene on the occasion of Henry III. again swearing to observe the charter, 202. Confirmed by Edward I., 320. Confirmed by Edward II., 362

Maid of Norway. *See* Margaret, Maid of Norway

Mandamus, the writ so called, 118

Manfred, illegitimate son of the Emperor Frederic, seizes the throne of Sicily and defeats the Pope's troops, 203

Manor Courts, or Courts Baron, 118. Their jurisdiction, 118, 119

Manor houses of the 13th century, 258.

Sketch of a dinner in an old manor house, 259
Manors, baronies, or lordships, the divisions of land so called among the Anglo-Saxons and among the Normans, 98. Derivation of the word, 98. Demesne lands, freeholds, and waste lands, 98
Manufactures of England in the 13th century, 261. Wool, 261. Goldsmith's work, 262
Marches. *See* Marks
Marchers, the Lords, origin of the, 269
Margaret, eldest daughter of Henry III., married to Alexander III. of Scotland, 246. Her death, 246
Margaret, daughter of Alexander III. of Scotland, 286. Her daughter, the Maid of Norway, 286
Margaret, the Maid of Norway, 286. Succeeds to the throne of Scotland, 286. Other claimants to the throne, 287. Her hand solicited by Edward I. for his son Edward, 287, 288. Her death, 289
Margaret, sister of Philip IV. of France, marries Edward I., 318
Margaret Plantagenet, niece of Edward II., married to Piers Gaveston, 349
Maritime law, origin of the, of England, 147
Markmen, or families living within, 30
Marks or marches, origin of the division of land into, 30. Mode of marking the division, 30. The families living within marks, 30
Marlborough Castle recovered from the French, 164
Marriage, a feudal lord's control over the, of females, 87. Question as to, settled by the Ecclesiastical Courts, 139, 145
Matilda, Queen of Henry I. of England, 53. Married to Geoffrey Plantagenet, 54. Her wars with King Stephen, 54. Defeated at the battle of Northallerton, 55. England invaded by her son Henry, 56
Mautravers, Sir John, one of the custodians of Edward II., 404
Mayor's Court, Lord, in the city of London, 117
Medeshamstede (now Peterborough) ravaged by the Danes, 19
Menai Straits, a bridge of boats built across the, by Edward I., 281
Mercia, foundation of the Anglo-Saxon kingdom of, 16. Overrun by the Danes under Canute, 26
Merton, priory of, Hubert de Burgh at, 189
Middlesex, origin of the name of, 34
Military service in the feudal system, 82
Mistletoe, the, held in reverence by the ancient Britons, 7

Molay, Jacques de, Grand Master of the Knights Templars, put to death, 355
Money, mode of carrying it from one place to another, 255. The coinage of, in the reign of Edward I., 274. His improvements in the coin, 274, 278. Welsh superstition about round money in England, 279
Monmouth, castle of, taken and destroyed by Simon de Montfort, 225
Montfort, Simon de, issues the first writs to towns to send members to Parliament, 105. Marries Eleanor, sister of Henry III., 198. Created Earl of Leicester, 198. Goes to France to recover the French provinces, 198. Made governor of Gascony, 199. Quarrels with King Henry and calls him a liar, 199. Joins the Barons to insist on reform, 204. His wisdom and moderation, 207. Compels Edward, the King's eldest son, and the King's relations and friends, to take the oaths of obedience to the new council, 207. Refuses to allow the Earl of Cornwall to land in England till he takes the oath of obedience to the new government, 208. Jealousy between De Montfort and the Earl of Gloucester, 209. The part of De Montfort taken by the Prince Edward, 209. Serious nature of his quarrel with the Earl of Gloucester, 210. Dissatisfied with the compromise between the King and the Barons, and retires to France, 212. Returns to England and urges the King to proclaim anew and observe the Provisions of Oxford, 213. Takes measures to prevent Prince Edward from relieving the King in the Tower, 214. Peace patched up between the King and the Barons, 215. The Barons again attacked by the King and Prince, 215. De Montfort encamps at Southwark and prevents the King from entering London, 215. The differences between the King and the Barons submitted for arbitration to Louis IX. of France, 216. Louis's unsatisfactory decision, 216. De Montfort and the Barons refuse to abide by the award, 216. And return to arms, 217. Preparations for a decisive struggle, 217. Receives one half the money of a murdered Jew, 218. Marches from London to attack the King at Lewes, 219. Sends a letter to the King who defies De Montfort to single combat, 219. Makes ready for battle, 219. Defeats the King and takes him prisoner at the battle of Lewes, 219, 220. Keeps him in his own custody, 220. Rules the kingdom in the King's name, 220. Preparations of the Queen in Flanders to

invade England and deliver her husband from the power of the Barons, 221. The whole force of the kingdom assembled by De Montfort on Barham Downs, 221. Takes himself the command of the channel fleet, cruises off the Flemish ports, and prevents the Queen's fleet from coming out, 221. The Barons excommunicated by Cardinal Guido, 222. De Montfort urged to release the two princes, 222. Summons a parliament to consider what shall be done, 222. Which decides that the Prince shall be released, 222. Securities taken from the King and the Prince, 222. De Montfort deserted by the Earl of Gloucester, 223. Cause of this defection, 223. Escape of Prince Edward from De Montfort's custody, 224. De Montfort summons the military tenants of the Crown, 224. Measures taken by the Earl of Gloucester to thwart him, 224. De Montfort prevented from crossing the Severn, 225. His son Simon defeated by Prince Edward, 225. Driven out of Newport and retires into Wales, 225. Marches from Wales to join his son at Kenilworth, but is out-manœuvred by Prince Edward, who lies in wait for him at Evesham, 226. Defeated and killed at the battle of Evesham, 227, 228. His character, 228. England indebted to him for establishing popular representation, 228. Sir James Mackintosh's opinion of the value of his parliamentary changes, 228. His memory revered by the people, 229. His immense stud of horses at Odiham, 254

Montfort, Simon de, the Younger, defeated by Prince Edward (afterwards Edward I.), 225. Besieges Pevensey and sacks Winchester, 225. Takes up his quarters at Kenilworth, 226. Surprised by Prince Edward while bathing in the Avon, but escapes into Kenilworth Castle, 226.

Montfort, Henry de, killed at the battle of Evesham, 228

Montfort, Eleanor de, affianced to Llewellyn, Prince of Wales, 271. Taken prisoner by Edward I. and given up to the care of the Queen, 271. Married to Llewellyn, 278. Her death, 279

Moray, Randolph, Earl of, takes the castle of Edinburgh by stratagem, 377. Attempts to seize the Queen at York, 398. Fails, but ravages the northern counties, 398. Commands the centre of the Scots army at the battle of Bannockburn, 383. Compels Sir Robert Clifford to retreat, 384

More, William de la, Master of the Temple, put to death in the Tower, 355

Mortimer, Roger, Earl of Wigmore, brought back from exile to join the party of Henry III., 223

Mortimer, Roger, taken prisoner and sent to the Tower of London, 406. Escapes to France, 409. Suspected of too great an intimacy with Queen Isabella, 411

Mortimer, Lord Edward, commands the English in South Wales, 282

Mortmain, statute of, passed, 279. Objects of the law, 279

Mowbray, Philip de, defends the castle of Stirling against Sir Edward Bruce, 378. Makes a truce with Bruce, 378. Immense preparations made by Edward II. for its relief, 378

NEATH, abbey of, affords refuge to Edward II., 403

Newcastle-on-Tyne, Norman keep at, 55. The war between Edward I. and John Baliol breaks out in, 301. General muster of the English forces for the second invasion of Scotland at, 313

New Forest, in Hampshire, formed by William the Conqueror, 46

Newport occupied by Simon de Montfort and the forces of the Barons, 225. De Montfort driven out from, 225

Nisi Prius, judges of, meaning of, 121

Norfolk, origin of the name of, 34

Norfolk, Earl of, Hereditary Marshal of England, refuses to obey Edward I., 306. Returns to his county and resists the King's officers, 307. Still refuses to go to France till grievances are redressed, 308. Attends a meeting of discontented Barons at Northampton, 312. Obtains a promise of redress of grievances from the King, 313.

Norham, a meeting of Scotch nobles summoned by Edward I. at, 291

Norman architecture, specimen of, 43

Normandy, settled upon Robert, eldest son of William the Conqueror, 53. Taken by Henry I. of England, 53. Under the rule of the King of England, 57. Given up by Edward I. to the King of France, 278

Normans, the, preferred by Edward the Confessor to his own subjects, 38. Banished from the kingdom, 38. Defeat the Anglo-Saxons at the battle of Hastings, 39, 40. The Normans of the same blood as the Anglo-Saxons, 41. Their civilising influence over the Anglo-Saxons, 41. Their language, 42. Their fondness for luxuries and arts, 43. Their ravages in Surrey, Buckinghamshire, and Hertfordshire, 44, 45. And in the north of

England, 45. Utterly break the power of the Anglo-Saxons, 45. Their cruelties and ferocity in the reign of Stephen, 54. Specimen of their architecture, 55. Union of the Normans and Saxons in the reign of King John, 63. The feudal system established in England by the Normans, 95

Northallerton, battle of, 55

Northampton, castle of, taken by Henry III. from the Barons, 218. Meeting at, at which a new crusade is undertaken by Prince Edward (afterwards Edward I.), 252. Worsted manufactures of, in the 13th century, 262. Queen Eleanor's cross at, 290, 291

Northumberland, coast of, ravaged by the Danes, 24. Origin of the name of, 34. Ravaged by the Scotch under Wallace, 314. Purchases a truce with the Scots, 376

Northumberland, Earl of, his household-book quoted, 183

Northumbria, overrun by the Danes under Canute, 26. Anciently extended to the Frith of Forth, 289

Northweorthig, the old Anglo-Saxon name of Derby, 37

Norwich, worsted manufactures of, in the 13th century, 262

Nottingham, castle of, taken by Henry III. from the Barons, 218

OAK, the, a sacred tree with the Druids, 7

"Oak, the Crouch or Cross," at Addlestone, 30

Oath of vassalage, form of, 35. Solemnity with which it was taken, 85. Ancient fealty oath of the Anglo-Saxons, 86

Oath, Coronation. *See* Coronation-Oath

Offa, King of Mercia, compels the Welsh King of Powys to retreat beyond the Wye, 269. Constructed the ditch and rampart known as Offa's Dyke, 269

Olave's, St., Church of, in the borough of Southwark, 36. Other churches dedicated to St. Olaf in London, 36

Oleron, Laws of, 147

"Ordainers," Committee of, appointed to reform the kingdom, 361. Their ordinances confirmed by Edward II., 362. Their principal reforms, 363. The ordinances declared by Parliament to be null and void for ever, 407

Ordeal, trial by, account of the, 128. Abolished, 131

Ormesby, appointed Chief Justiciary of Scotland, 303

Ottoboni, Cardinal, sent over by the Pope to congratulate Henry III. on his victory over the Barons, 232. Makes regulations as to ecclesiastical matters which still remain in force, 232. Calls a meeting at Northampton, and persuades Prince Edward to undertake a new crusade against the Saracens, 232

Outlaws, or "lordless men," among the Anglo-Saxons and Normans, 100

Oxford, meeting of the "Mad Parliament" at, 206

Oxford, Provisions of, 206. The King (Henry III.) grows "grievous weary" of them, 211. Compromise between the King and the Barons to confirm some and abrogate the rest of the Provisions, 212. The Provisions again publicly proclaimed, 215

PARIS, Matthew, 235

Parish, meaning of the word, 29. Origin of parishes, 29

Parliament, the, among the Anglo-Saxons, 103. Origin of Lords and Commons, 104. The three classes forming Parliament always voted separately, 104. Members of the Anglo-Saxon witena-gemote not elected, but sat by right, 104. Members of the Great Council first elected by William the Conquerer, 104. First clear evidence of representation in Parliament, 105. First representation of towns, 105. Parliament of Edward I., 106. Separation of Parliament into House of Lords and House of Commons, 107. Importance of this separation, 107. Other peculiarities of our parliamentary system, 107. Various places in which parliaments were held in ancient times, 108. The "Mad Parliament," 206. A committee of reform appointed by it, 206. Moderation of the reformers, 207. Plan of reform proposed by the Parliament, 208. A parliament summoned by Simon de Montfort, to which town burgesses are for the first time returned, 222. Origin of the House of Commons, 222. The release of Prince Edward decided on, 222. Securities taken from him and the King, 223. England indebted to Simon de Montfort for establishing popular representation, 228. Sir James Mackintosh's opinion of the value of his parliamentary changes, 228. Parliament confirms the "Dictum of Kenilworth," 231. Grants one-thirtieth of all moveables for the cost of the war in Wales, 273. Sometimes a court of

justice and appeal, 285. John Baliol, King of Scotland, compelled to appear before Parliament at Westminster to answer the complaint of the Earl of Fife, 296. Baliol's answer, 296. Parliament advises Edward to seize the three strongest castles in Scotland, 296. Resolves to make war on Philip IV. of France, 299. Called to consider the affairs of Scotland, 312. Meeting of Parliament at York, 313. Meeting of Parliament at Lincoln to consider the claims of the Pope to the sovereignty of Scotland, 320. Repudiates the Pope's claims, 321. Decrees the banishment of Piers Gaveston for ever, 351. Refuses to allow Gaveston to retain the Earldom of Cornwall, 359. Duties of parliaments in the 14th century, 363. Meeting of Parliament to confirm the Ordinances, 363. Passes an act fixing the price of food, 387. Revokes this act, 388. Declares the Ordinances to be null and void for ever, 407

Parliament, or Estates of Scotland, assembled at Scone to consider the succession to the throne, 286. The succession claimed by Bruce and Baliol, 287. The Parliament appeals to Edward I. for advice and mediation, 287

Pembroke, the Earl of, appointed the guardian to the young King Henry III., 162. Summons a council at Gloucester, and proposes to accept Henry and expel Louis of France, 163. Summons the Royalists to relieve the castle of Lincoln, 164. Defeats the French, 166. Importance of the Earl's counsel to the young King, 168. Death of the Earl, 168

Pembroke, Aymer de Valence, Earl of, defeated by Robert I. of Scotland, 333. The command of the English army in Scotland intrusted by Edward II. to, 348. Joins the confederacy of the Barons to resist the King, 366. Besieges Scarborough Castle, and takes Piers Gaveston prisoner, 361. Dismissed from the government of Scotland, 371

Perche, the Count de la, placed in command of a large army of French, 164. Lays a contribution on St. Albans, pillages the church of St. Amphibalus, and lays siege to the castle of Lincoln, 164. Killed, and his army utterly routed, 166

Perth, burnt by Wallace, 317. Taken by Bruce, 368

Peter the Hermit, preaches a crusade against the infidels, 51

Peterborough, destruction of, by the Danes, 19

Pevensey, besieged by Simon de Montfort the Younger, 225

Philip Augustus, King of France, agrees to unite his forces with those of Richard I. of England in the third crusade, 64. Offended by the conduct of Richard, 64. And jealous of his bravery, 65. Secretly makes peace with Saladin, and returns to France, 65. At war with Richard, 67. Seizes the English possessions in France, 70. His increase of the domain of the King of France, 160. His death, 185

Philip IV. of France, homage done by Edward I. to, as his feudal vassal, 264. Summons Edward I. of England to Paris to do homage as Duke of Aquitaine, 271. Enters into an alliance with Llewellyn, Prince of Wales, against the King of England, 271. Homage done by Edward I. and his queen to him for Ponthieu and Aquitaine, 278. Quarrels with Edward I. of England, 296, 297. Summons Edward as Duke of Aquitaine to appear at Paris, 297. Attempts to take possession of the English dominions in France, 297. Negotiations for peace, 297. Endeavours to obtain possession of Edward's dominions in France by fraud, 298. Conditions of peace proposed by the Queen and Queen Dowager of France, 298. Philip obtains possession of Gascony through treachery, 299. War with France resolved on by the English Parliament, 299. An English force landed in Gascony, 300. Concludes peace with Edward I. of England, 318. His sister Margaret married to Edward, 318. Induces Edward I. to grant the Scots a truce, 321. Concludes a permanent peace with Edward, 321, 322. Brings about the destruction of the Order of Knights Templars, 351. His daughter Isabella married to Edward II. of England, 356. Invites Edward II. and his Queen to France, 369. His unsuccessful attempts to reconcile Edward with his subjects, 370

Phœnicians, the, or men of Tyre and Sidon, 3. Their trade with the British Islands, 3, 4

Picts, the, attack the Britons, 11. Walls built by the Romans to shut them out, 11

Pié Poudré, Court of, 182

Plantagenets, the first of the, in England, 56. Origin of the name Plantagenet, 57. Genealogical table of the, showing the descent of Edward I., 357

Pleas, Court of Common, origin of the, 115. Its former jurisdiction, 115. Its present powers, 117

POI

Poitou, invaded by Louis VIII. with a numerous army, 185. Seized by Charles the Fair, 410

Ponthieu, homage done by Edward I. to Philip III. of France for the Earldom of, 278

Pope, his attempts to obtain the right of filling vacant bishoprics in England, 143. Excommunicates Louis, son of Philip Augustus, 162. Threatens to put France under an interdict if Louis, son of Philip Augustus, persists in his designs against England, 164. His oppression of the English clergy, 193. Nature and origin of his demands, 193. Levies contributions on the clergy, 194. Origin of his temporal power, 194. His wars always said to be in defence of religion, 194. Grants Henry III. a dispensation from his oaths, 211, 213. His vain efforts to support the cause of Henry III. against the Barons, 222. Sends Cardinal Guido to take him under his protection, 222. Brings about a truce between England and Scotland, 319. Lays claim to the sovereignty over Scotland, and summons Edward I. to show his right to the kingdom, 319

Powys, Welsh kingdom of, 269

Privy Council, probable origin of the, 103. Representation of, from an illumination, 113

Pusey estates, in Berkshire, singular tenure on which they are held, 84

QUARTER SESSIONS, business transacted at, 123

Quia Emptores, the act so called, 82

Quo Warranto, the writ so called, 118. Writs of, issued to the Barons by Edward I., 274. Resisted by the Barons, 274

RAPES, origin of the division of land into, 31

Reading, battle of, 20

Redvers, Margaret de, married against her will to Fulke de Bréauté, 172

Reigate Castle, Edward I. entertained in, by the Earl of Warrenne, 265

Reliefs, or fines, on succession to an estate, 88

Religion of the ancient Britons, 7. The Druids, 7

Rent, origin of, 83

Representation in Parliament, first clear evidence of, 105

Revenue of England, sources of, in the 13th century, 183. Origin of fifteenths, 184. Other sources of revenue, 184

RIC

Rhuddlan Castle taken from the English by Llewellyn, Prince of Wales, 270. Retaken by King Edward I., 272. Rebuilt, 273. Seized by David, brother of Llewellyn, Prince of Wales, 280. Abandoned on the approach of King Edward, 280

Richard I., Cœur de Lion, succeeds to the throne, 62. Massacre of the Jews in his reign, 62, 63. Richard goes to the Holy Land as a crusader, 64. Unites with Philip Augustus, King of France, in the third crusade, 64. Offends the French King, 64. Marries Berengaria of Navarre, 65. Lays siege to Acre, 65. Left alone to Philip Augustus, 65. Hangs 3000 Turks, 65. Marches to Jerusalem, 65. Offends the Duke of Austria, 66. Makes peace with Saladin, 66. Departs from the Holy Land, 66. His fleet scattered in a storm, 66. Lands in Austria in disguise, 66. Seized and put into prison by the Duke of Austria, 67. His place of imprisonment discovered by his minstrel, Blondel, 67. Ransomed by the people of England, 67. Returns home, 67. Suppresses a rebellion of his brother John, 67. Declares war against Philip Augustus, 67. His death and burial-place, 68. His compilation of the Laws of Oleron, 147

Richard, Earl of Cornwall, sent over by his brother Henry III. to recover the French provinces, 187. Returns to England, 187. Quarrels with the King about Berkhamsted Castle, and compels him to enter into a compromise with him, 187, 188. The throne of Sicily offered to him and refused, 203. Elected King of the Romans, 204. Crowned at Aix-la-Chapelle, 204. Returns to England to raise money on his estates, 208. Compelled to take the oath of obedience to the Council of State, 208. Mediates between De Montfort and the Earl of Gloucester, and prevents civil war, 210. His son kept as a hostage for Richard's peaceable behaviour, 220

Richard, Earl Marischal, heads the Barons' opposition to Henry III., 191

Richard, Sir, of the Lea, ballad of, quoted, 240

Richmond, John de Bretagne, Earl of, appointed Governor of Scotland, 371. Dismissed, 372

Richmondshire, a former county, 33. Lands in, granted by William the Conqueror to Alan, Count of Brittany, 97

Rickmansworth, manor of, in the reign of William the Conqueror, 48, 49

Ridel, Lord Stephen, taken prisoner by the freebooter Fulke de Bréauté, 172
Ridings in Yorkshire, origin of the, 31
Rishanger, William, 235
Roads, condition of the high, in the 13th century, 252. Guides required for cross-roads, 253
Robbers in the woods in England in the 13th century, 252
Robert Bruce, Earl of Carrick, afterwards Robert I. King of Scotland, joins the English and fights against his own country, 310. Turns round and joins Wallace, 310. Leads a revolt of the Scotch, 326. His quarrel with Red Comyn, 327. Whom he murders, 328. Determines to be King of Scotland, 328. Crowned King at Scone, 329. Suffers reverses at the hands of the English, 331. His romantic adventures, 331. Escapes to Ireland, 331. His followers treated with severity by King Edward, 331. Returns to Scotland, 332. His subsequent misfortunes, 332. Routs a body of English cavalry under the Earl of Pembroke, 332. Table showing the descent of Robert Bruce from William the Lion, 341. Council held in Stamford to consider what should be done to resist his progress in Scotland, 360. Scotland invaded by Edward II., who gains no lasting victory, 362. Edward II. despised by Bruce, 362. Defeats Edward II., 371. Attacked by Comyn and Sir David de Brechin, 371. Puts his enemies to flight, 371. Takes the castle of Aberdeen, 372. Sends his brother Edward to reduce the south of Scotland, 372. Defeats Sir John de St. John, 372. His punishment of the Lord of Lorn, 373. Recognised as the lawful King of Scotland, 374. Scotland again invaded by Edward II., 374. Bruce's successful tactics, 374. Carries the war into England, and ravages the northern counties, 375. Lays siege to and takes the castle of Perth, 375. Compels the inhabitants of the northern counties of England to purchase a truce, 376. Various castles taken from the English, 376-378. Edward II. marches with above 100,000 men to Scotland, 379. Bruce determines to fight the English on foot, 379. His arrangement of his army at Bannockburn, 383. Strikes Sir Henry de Bonne dead with one blow, 384. Gains a complete victory over the English at Bannockburn, 386. Plunders the north of England and returns with an immense booty, 386. His brother Edward crowned King of Ireland, 390. Bruce refuses a truce with England, 392. Lays siege to Berwick and takes it, 393. Excommunicated by the cardinals sent over by the Pope, 394. Makes vigorous exertions to strengthen his kingdom, 394. The castle of Berwick besieged by Edward II., who is compelled to raise the siege, 396. Concludes a two years' truce with the English, 398. Again attacked by Edward III., 407. Agrees to a truce for thirteen years, 407
Robert, Duke of Normandy, cheated out of his succession to the English throne, 50. Goes to war with his brother William Rufus, 50. Leads the English at the first crusade, 52. Invades England and attempts to obtain the throne, 53. Defeated and imprisoned in Cardiff Castle, 53
Roches, Peter des, with Hubert de Burgh, intrusted with the guardianship of the young King, Henry III., 168. Rivalry of the two guardians, 168, 183. Dismissed by Henry III. and goes on a pilgrimage to the Holy Land, 187. Returns to England and is restored to favour, 190. Dismissed again, 191
Rochester, besieged by Louis, son of Philip Augustus, 161. And by the Barons, 218. Relieved by Henry III., 218
Roman Law, the foundation of the law administered in the Court of Chancery, 135
Romans, land in Britain under Cæsar, 10. Defeat the Britons under Cassivelaunus, 10, 11. Leave Britain, 11. Return in the reign of Claudius, 11. Defeat the Britons and take Caractacus prisoner, 11. Gain the battle of St. Albans, 11. Build great walls to shut out the Picts and Scots, 11. Length of their stay in Britain, 12. Their final departure, 12. Effects of their invasion on Britain and on the Britons, 12. Their foundation of London, 12. Their excellent roads in Britain, 13. Christianity introduced during their rule, 13
Ros, Robert de, Lord of the castle of Wcark, revolts to the Scots, 301
Ross, William de, of Hamlake, appointed one of the governors of Scotland, 372
Roxburgh, castle of, taken by Edward I., 303. Taken by stratagem by Sir James Douglas, 369
Runnymede, meeting of King John and the Barons at, 71. Magna Carta signed at, 72

SACRIFICES, human, of the ancient Britons, 7
St. John, Sir John de, defeated by Robert Bruce, 372

SAL

Saladin, the Turkish leader, enters into a secret treaty with Philip Augustus, 65. Makes peace with Richard I. of England, 66

Salisbury, meeting of English, Scotch, and Norwegian commissioners at, for the settlement of Scotch affairs, 287

Sancho IV., the Great, King of Castile, declares war against Edward I. of England, 300

Sandwich, landing of the Romans near, 10. And of Louis, son of Philip Augustus at, 161

Saxons or Angles, arrival of the, in England, 14. Energy and perseverance of their descendants, 14, 15. Their original dwelling-place, 16. The various kingdoms established by them in England, 16. Specimen of their architecture, 17. Landing of St. Augustine and conversion of the Saxons to Christianity, 18. Struggles of the Anglo-Saxons with the Danish invaders, 19. Reign of King Alfred, 20. The English people and language spring mainly from the Anglo-Saxon race, 27. Their influence over our laws, liberties, and language, 27. Defeated at the battle of Hastings, and their line of kings ended, 39, 40. They still defend their homes against the foreign invader, 41. Cruelties of the Norman Barons in the reign of King Stephen, 54. Union of the Normans and Saxons in the reign of King John, 68. Seizure of the land by the Saxon invaders, 79. Their land-bocs, or title-deeds to land, 96. These title-deeds destroyed by William the Conqueror, and the lands given to his followers, 96. The Saxons made slaves by the Norman conquerors, 99. Laws of King Athelstan regarding "lordless men," or outlaws, 100. The Anglo-Saxon mode of making laws, administering justice, and governing the country, 102. The laws of Ethelbert, 109. Laws of Edward the Confessor, 110. Mode of enforcing the laws in Anglo-Saxon times, 110

Scarborough, strength of the fortress of, 367. Gaveston takes refuge there, 367

Scilly Islands, visited by the Phœnicians for tin, 3-5

Scone, the great stone of, carried away to London, 303

Scotland, great numbers of English slaves exported to, 100. Affairs of, at the death of Alexander III., 286. Margaret, the Maid of Norway, succeeds him on the throne, 286. Other claimants for the throne, 287. War between Robert Bruce and John Baliol, 287. Alarm of the Scotch

SCO

Estates, 287. Meeting of Scotch, Norwegian, and English commissioners at Salisbury to arrange Scotch affairs, 287. The government of Scotland in the hands of six guardians or regents, 287. Edward I. begins to plan the union of the two kingdoms, 287. Approval of the Scotch nobles obtained by Edward I. to a marriage between his son Edward and the heiress to the Scottish throne, 288. A treaty concluded between England and Scotland, with an important reservation, 288. Competition for the throne on the death of the Maid of Norway, 289. Edward I. solicited to assist in choosing a king, 289. Who calls a meeting of Scotch nobles at Norham, 291. Edward asserts his claims as Lord Paramount over Scotland, 291. This claim admitted by all the competitors to the throne, 292. Meeting of all the competitors at Berwick, 292. John Baliol decided by Edward I. to be King, 294. The Great Seal of Scotland broken and deposited in the treasury of Edward I., 294. Character of John Baliol, 294. Treated unjustly by King Edward, 295. Baliol releases Edward from his promises and oaths, and submits to further degradations, 295, 296. Compelled to appear before the English Parliament at Westminster, 296. Edward advised by his Parliament to seize the three strongest castles in Scotland, 296. Preparations for war between Edward I. and John Baliol, 301. The war begun by the Scots, 302. Berwick on-Tweed taken, and its inhabitants massacred by Edward I., 302. The castle of Dunbar delivered up to the Scots, 302. The Scots defeated near Dunbar, and all the castles south of Perth taken by the English, 303. John Baliol surrenders and is sent with his son prisoner to the Tower of London, 303. Submission of the whole of Scotland, 303. The great stone of Scone brought to London, 303. Edward's measures for the improvement and settlement of Scotland, 303. Resistance of the Scotch to the dominion of England, 308. Severity of the officers of Edward I. in Scotland, 308. The revolt headed by William Wallace, 309. Who is joined by Sir William Douglas and his vassals, 309. And by Robert Bruce, Earl of Carrick, 310. The English totally defeated at Stirling Bridge, 311, 312. Consequences of this victory, 312. The second invasion of Scotland, 318. Edward marches at the head of an immense army,

313. Wallace ravages the North of England, 314. Elected governor of Scotland, 315. Defeat of the Scotch army under Wallace at the battle of Falkirk, 315. Wallace resigns the office of governor, and four governors are appointed in his stead, 317. The third invasion of Scotland, 318. The fourth invasion, 319. Truce between England and Scotland, 319. Claim of the Pope to the sovereignty of Scotland, 319. The fifth and sixth invasions of Edward I., 321, 322. Victory of the Scots over John de Segrave, 322. The country devastated by the English, 322. Submits to Edward I., 323. Siege of Stirling Castle, 323. Wallace betrayed by his countrymen, and put to death by Edward I., 324. Wallace's death useless as a means of repressing the Scotch, 325. Revolt of the Scotch under Bruce, 326. Preparations of Edward I. for the seventh invasion of Scotland, 329, 331. Reverses suffered by Bruce, 331. Escape of Bruce to Ireland, 331. His return to Scotland and subsequent misfortunes, 332. His victory over the Earl of Pembroke, 333. Death of Edward I., 333. Preparations of Edward II. for a renewal of the war, 348. The command of the English army given to Aymer de Valence, Earl of Pembroke, 348. Council held at Stamford to consider Bruce's progress in Scotland, 360. Scotland invaded by Edward II., 362. No lasting success, however, gained, 362. Gaveston and the Earls of Gloucester and Surrey sent to invade Scotland, 363. The Earl of Pembroke dismissed, and the government of Scotland given to John de Bretagne, Earl of Richmond, 371. Successes of Bruce, 372. Richmond dismissed, and three joint governors appointed by Edward II., 372. The English driven out of Galloway, 372. Sir John de St. John defeated by Bruce, 372. Who takes Perth from the English, 375. The English entirely defeated at Bannockburn, 386. Robert Bruce excommunicated by the Pope, 394. Vigorous exertions made to strengthen the kingdom, 394. The English compelled to raise the siege of Berwick, 396. A truce for two years concluded, 398. Scotland again invaded by Edward II. with little good result, 407. A truce concluded for thirteen years, 407.

Scots, the, attack the Britons, 11. Walls built by the Romans to shut them out of England, 11. *See* Scotland

Scottish weapons ancient, 381

Scutage, meaning of the word, 95. Interference of Magna Charta to prevent abuses in, 95

Seal, the Great, the Chancellor made Keeper of the, 136. The Great Seal of Edward the Confessor, 136. Early date of the use of the Great Seal, 136

Segrave, John de Segrave, governor of Scotland under Edward I., 322. Defeated by the Scots, 322

Selkirk, taken by Sir James Douglas, 373

Setan, or Anglo-Saxon settlers, 33

Severn, the, blockaded by the Royalists, 224

Sheriff, origin of the word, 31. His duty at County Courts both before and after the Conquest, 112

Sherwood Forest, Robin Hood and the outlaws of, 238

Shrewsbury, ancient name of, 33

Shire-motes, or county courts, of the Anglo-Saxons, 110

Shires, origin of the division of England into, 28, 30. Derivation of the word, 31. In some parts of England there are no shires, 32. In most cases took their names from towns already built, 33

Sicily, kingdom of, made fiefs of the Holy See by its Norman conquerors, 202. Held by the Emperor Frederic, 202. At his death offered by the Pope to Edmund, son of Henry III. of England, 202

Siric, Archbishop, advises the imposition of Dane-gelt, 24

Slavery common amongst the Anglo-Saxons, 21. Endeavours of King Alfred to put it down, 21. Slavery in England under the Normans, 99

Snowdon, the Welsh take refuge in the mountainous districts round, 273

Socage tenure in land, the origin of rent, 83

Somerset, meaning of the name, 33

Sorel, Mount, castle of, in the hands of the party of Louis of France, 164. Besieged by the forces of Henry III., 164. The place relieved by Louis, 164

Southampton, origin of the name, 34

Stamford, parliament held at, 360

Standard, the battle of the, 55. The Standard, 56

Stephen, King of England, succeeds to the throne, 53. His contests for the throne with Matilda, and David, King of Scotland, 54. Cruelties of the Norman Barons in his reign, 54. Defeats David and Matilda at the battle of Northallerton, 55. Taken prisoner, 55. Allowed to keep the throne during his lifetime, 56. His death, 56

Stewart, the royal family of. *See* Walter, High Steward

Stirling, castle of, taken by Edward I., 303. Laid in ruins by Wallace, 317. Siege of Stirling Castle under Edward I., 323. Greek fire used against the besieged, 324. Surrender of the garrison, 324. Besieged by Sir Edward Bruce, 378. Truce concluded till midsummer, 378. Immense preparations made by Edward II. for the relief of the castle, 378. Strong position of Stirling, 381
Stirling Bridge, battle of, 311, 312
Stonehenge, druidical remains of, 7
Stourbridge fair, its antiquity, 180
Strabo, his notice of the ancient Britons, 3, 4
Suffolk, origin of the name of, 34
Surrey, meaning of the name, 34. Ravaged by the Normans under William I., 44
Surrey, Earl of. *See* Warrenne
Sussex, foundation of the Saxon kingdom of, 16. Meaning of the name, 34
Sutherland, origin of the name of the county of, 33
Sweyn, his attack on and repulse from London, 25. Crowned King of England, 25

TALLIES, wooden, use of, 299, *note*
Tarshish, the, of the Prophet Ezekiel, 3
Taxes, no regular, in the time of Henry III., 183
Templars, Knights, history of the rise and overthrow of the, 350
Temple, three hundred youths knighted in the Temple Gardens, 329, 330
Temporalities, the King's right to keep the, to himself, 184
Tenant, mode of investiture of a, under the feudal system, 86
Tenants in chief, in the feudal system, 82
Tenure of land, forms of tenure, 82. Socage tenure, 83. Free service and base service, 83. Certain and uncertain service, 84. Other and curious forms of tenure, 84. Tenure under the feudal system, 82, 98. *See* Land
Thanes, or lords, of the Anglo-Saxons, 29, 101. What constituted the thane, 101
Thetford, taken by the Danes, 19
Tin, the Phœnician trade in, in the British Islands, 3. The Celtic mode of getting the tin, 4
Tithing, the division of land so called, 31
Tithing-man, or head-borough, his duty, 32
Tooley Street, probable meaning of the name, 36
Totness, woollen manufactures of, in the 13th century, 261
Tournaments, 93. Origin of, 94. Tournament given by Piers Gaveston at the castle of Wallingford, 350. Put down by proclamation of Edward II., 360
Tower of London built, 45. Hubert de Burgh sent a prisoner to the, 190. The treasure of the, seized by Henry III., 211. Henry III. shuts himself up in the, 214
Towns, first representation of, in Parliament, 105
Trade, principal articles of English, in the 13th century, 261. Wine, 261. Wool, 261. Leather, 261
Travelling, modes of, in the 13th century, 253. Way in which money was conveyed from one place to another, 255
Trayle-baston, commission of, appointed by Edward I., 325. Origin of the term, 325, 326
Trithings, or ridings, of Yorkshire, the, 31
Tunbridge Castle taken by Henry III. from the Barons, 218. Edward I. magnificently entertained in, 265
Turnberry Castle surprised by Robert I. of Scotland, 332
Tyre, prophecies of Isaiah and Ezekiel respecting the downfall of, 3. Its foreign trade, 3

VALERY, St., honours of, conferred by Edward II. on Piers Gaveston, 349
Vassalage, form of the oath of, 85. Taken with great solemnity, 85. Ancient fealty oath of the Anglo-Saxons, 86
Villeins, thralls, or slaves, of the Normans under the feudal system, 99. Position occupied by them in the community, 99. Originally consisted perhaps of conquered Britons, 99. Laws respecting them, 99. Villeins in gross, 99. Conditions of land held in villeinage, 100
Villeinage. *See* Villeins
Vineyards in England in the time of William the Conqueror, 49. Of the 13th century, 260

WALERAN, Hugh de, the government of the castle of Dover given by Henry III. to, 211
Wales ravaged by the Danes, 24. Called Bretland by the Danes, 24. All the counties of, called shires, except Anglesey, 32. Wars of Edward I. with, 268. The conquest of Wales not originally part of a plan for the union of Great Britain, 268. The Britons take refuge in Wales on the Saxon invasion, 269. Divisions of the principality during the Saxon period, 269. The Welsh king of Powys compelled by Offa, King of Mercia,

to retreat beyond the Wye, 269. Wars constantly going on between the English and Welsh borderers, 269. The Lord Marchers, 269. Origin of the wars with Wales, 270. Prince Llewellyn summoned to do homage to Edward I., but refuses, 270. And allies himself with the King of France, Philip III., 271. Angles-ey taken by Edward I., 273. All Wales, except Anglesey, given up to the English, 273. The castle of Llan-padarn Vawr, or Aberystwith, rebuilt by Edward I., 273. Belief of the Welsh in the return of King Arthur to earth, 275. Edward I. seeks to destroy this idea, 275. Visit of Llewellyn to London, where his nobles and retainers are laughed at, 277. Summoned to attend a parliament, but refuses, 278. Married to a cousin of Edward I., 278. A Welsh superstition respecting round money in England, 279. Breaking out of a new rebellion in Wales, 279. Edward's second invasion, 280. Conditions of peace offered by Edward, 280. Refused by Llewellyn, 280. Edward retires to Worcester, 281. Summons a large army the following year to invade Wales, 281. A bridge of boats built across the Menai Straits, 281. Llewellyn killed, and the wars with Wales ended, 282, 283. Rebellion in Wales, 300. The forces under Edmund, Earl of Lancaster, ordered to North Wales, 300. The Welsh entirely subdued, 301. The sea-coast garrisoned, and the woods cut down, 301

Wales, Prince of, the first, 283. The title of Prince of Wales, 283, 336

Wallace, William, his immense strength, 309. Heads the revolt in Scotland, 309. Joined by Sir William Douglas and his vassals, 309. And by Robert Bruce, Earl of Carrick, 310. Defeats the English at the battle of Stirling Bridge, 311. Surrender of all the English castles in Scotland to him, 312. Second invasion of Scotland, 318. Ravages Northumberland and Cumberland, 314. Commits great cruelties in the North of England, 314. Hexham monastery plundered by his soldiers, 314. Marches homewards, 315. Elected governor of Scotland, 315. Jealousy of the Scotch nobles, and its ill effects, 315. Defeated at the battle of Falkirk, 316. Retreats to the woods in the neighbourhood, and still continues his tactics of laying waste the country, 316. Compels Edward to return to England, 317. Resigns the office of governor of Scotland, 317. Driven by the English into the wilds and fastnesses, 323. Summoned to surrender, 323. A price put upon his head, 323. Betrayed and put to death by Edward I., 324

Wallingford Castle, Prince Edward (afterwards Edward I.) confined in, 220. Honours of, conferred by Edward II. on Piers Gaveston, 349. Tournament given by Gaveston at, 350

Walter, the High Steward of Scotland, commands part of Bruce's army at the battle of Bannockburn, 383. Married to Marjory, daughter of King Robert Bruce, 387. The ancestor of the Stewarts, 387

Waltham, Queen Eleanor's cross at, 291

Wardrobes, extent of royal, in the thirteenth century, 256

Warrenne and Surrey, John de, Earl of, swears fealty to Edward I., 262. His resistance to the writ of *Quo Warranto* issued by Edward I., 276. Defeats the Scottish army at Dunbar, 303. Appointed by Edward I. governor of Scotland, 303, 307

Warrenne, William de, Earl of Surrey, commands the English forces at the battle of Stirling Bridge, 311. Defeated by Wallace, 311, 312. Flees to England, 312. Refuses to attend Edward II. to Scotland, 379

Warwick, Earl of, joins the confederacy of the Barons to resist Edward II., 366. Seizes Piers Gaveston and carries him to Warwick Castle, 367. Refuses to attend Edward II. to Scotland, 379

Watling Street, formed by the Romans, 13

Welsh language, the, 5

Welsh, incursions of the, repressed by Henry III., 188

Wendover, Roger of, 235

Wessex, foundation of the Saxon kingdom of, 16. Overrun by the Danes, 25. Again under Canute, 26

Westminster, the Court of Common Pleas held at, 115. The various courts fixed at, 119. A new fair at, proclaimed by Henry III., 200

Westminster, the first statutes of, passed, 266. Provisions of the, 266-268

Westminster Abbey, tomb of Henry III. in, 233. Rebuilt by Henry III., 234. Coronation of Edward I. in, 265. Completion of the Abbey, 284. History of the former churches which existed on its site, 284

Westmoreland purchases a truce with the Scots, 376

Wheathampstead, meeting of the King's ambassadors and the discontented Barons at, 368

WHI

Whichwood, in Oxfordshire, mention of, in Domesday Book, 252
White Horse, the, at Wantage, 20. Scouring of the White Horse, 20
Wigmore. *See* Mortimer, Roger, Earl of Wigmore
William the Conqueror, his invasion of England, 39. His claim to the throne, 39. Gains the battle of Hastings, 39, 40. His descent from Rollo of Norway, 42. Advances towards London, 44. Ravages Surrey, Buckinghamshire, and Hertfordshire, 44, 45. Takes his stand at Great Berkhamsted, 45. Submission of the Anglo-Saxon chiefs there, 45. Builds the Tower of London, 45. Enters London and is crowned in Westminster Abbey, 45. Ravages the North of England and completely breaks the power of the Anglo-Saxons, 45. Creates the New Forest of Hampshire, 46. Establishes the curfew bell, 46. Has the Domesday Book drawn up, 47. His death, 49. Takes all the land in the kingdom himself, 81. His introduction of the feudal system into England, 95. Way in which he introduced it, 96. Grants land in Richmondshire to Alan, Count of Britanny, 97. Number of manors he seized for himself and his followers, 98. Separates the ecclesiastical from the civil courts, 140
William Rufus, second son of William the Conqueror, seizes the throne of England, 50. At war with his brother Robert, Duke of Normandy, 50. His death, 52
Wills, matters relative to, settled by the Ecclesiastical Courts, 140, 144
Wilton, battle of, 21
Wiltshire, origin of the name of, 34
Wimborne Forest, mention of, in Domesday Book, 252
Winchelsea captured from the adherents of the Barons by Prince Edward (afterwards Edward I.), 231. The Count de Nevers made Earl of, 162
Winchester, castle of, recovered from the French, 164. The great fair of St. Giles's Hill, near, 181. Sacked by Simon de Montfort the Younger, 225

YOR

Winchester, Peter de Rupibus, Bishop of, 191
Windsor, the country round, plundered by Edward, son of Henry III., 214. Taken from the Barons by Henry III., 215. The castle decorated and ornamented by Henry III., 234
Windsor Forest, mention of, in Domesday Book, 252
Wine, kinds of, drunk in the 13th century, 250. English wine, 260. Great trade in claret in the reign of Edward I., 261
Witena-gemote, or greater King's council, of the Anglo-Saxons, 102, 103. The witena-gemote the Parliament of the Anglo-Saxons, 103. Its similarity to the House of Lords rather than to the House of Commons, 103, 104. The members not elected, but sat by right, 104
Witnesses, origin of, in trials, 127
Women, control of a feudal lord over the marriage of, 87. But not over that of females above sixty years of age, 87. Abuse of this right, 88. Knights bound especially to the defence of women, 93
Woods, dense, of England, in the 13th century, 251
Wool trade, extent of the, of England, in the 13th century, 261. Woollen manufactories in England at this period, 261
Worcester, King John's tomb at, 73. The city taken by the Royalists, 224
Wrestling match in the reign of Henry III., 173, 174. Riot arising out of one, 174
Writ of *Quo Warranto*, 118. Issued to the Barons by Edward I., and resisted by them, 274
Wye, the, the boundary of Wales during the Saxon period, 269
Wyre, Forest of, Parliament of the Barons held in the, 307

YORK, massacre of Jews in, 63. Monk Bar gate at, 178. Meeting of Parliament at, 313
Yorkshire plundered by Robert Bruce, 375, 386

LONDON
PRINTED BY SPOTTISWOODE AND CO.
NEW-STREET SQUARE

00029994

Digitized with financial assistance from the
Government of Maharashtra
on 26 June, 2018